
REVISED GENERAL PLAN IMPLEMENTATION
ZONING ORDINANCE AND ZONING MAP AMENDMENTS
PLANNING COMMISSION PUBLIC HEARING
AUGUST 17, 2002

The above-referenced matter came on for
hearing on Saturday, August 17, 2002, 9:00 a.m.,
before the Loudoun County Planning Commission, at
Harrison Street, S.E., Leesburg, Virginia, when there
were the following Planning Commissioners present:

Kathryn A. Miller, Chairman
David L. Whitmer, Vice Chairman
Alfred P. VanHuyck
John D. Herbert
Wendell Hansen
George Kirschenbauer
Jane Kirchner
Lawrence E. Kelly

ALSO PRESENT:

Charles Yudd
Mark Stultz

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1 MS. MILLER: The format for today will be
2 that individuals have three minutes to speak. The
3 lights on the podium will change from green to yellow
4 when there is one minute remaining. When the light
5 turns red, the speaker is to end their presentation.
6 People who have submitted a letter indicating that
7 they are representing a group or organization will be
8 given five minutes to speak, but there is only one
9 five-minute representative per group. Again, the
10 light on the podium will turn yellow when one minute
11 remains and the speaker must end when the light turns
12 red. If a speaker is not in the room when their
13 number is called, I will go to the next speaker.
14 However, at the end of the session, I will recall
15 them as a speaker. If you wish to provide the
16 Commission with a written transcript of your
17 presentation, please hand it to the clerk who is at
18 the left.

19 Rather than interrupting the presentations,
20 the Commission will not be taking breaks as a group.
21 The Commissioners have agreed to leave one at a time
22 if they need a break. The hearing is being broadcast
23 so they can hear the comments from the back room.

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1 Lastly, we just have a few ground rules for
2 speaking today. You may sign up to speak by going
3 into the lobby and filling out a speaker's slip. You
4 will be assigned a number and I will call speakers by
5 their name and number on the speaker slip.

6 For those who would not rather stand up in
7 front of a crowd, you may also record your
8 presentation into the public record by going into the
9 Lovettsville Room, which is to the left as you leave
10 the Board room. Staff will be there to assist you.

11 If you choose to write or e-mail your
12 message, you may do so at the addresses that are
13 included on the sheets available in the lobby.

14 If you have a question about the Zoning
15 designation that applies to your property, or believe
16 that a proposed Zoning is in error, I would ask you
17 to meet with Charles Yudd, or Mark Stultz, sitting
18 down here in the front, and they will go with you to
19 the lobby and help to try and resolve that issue.

20 Staff is also available in the lobby to answer any
21 questions you may have.

22 The audience is asked to respect that each
23 speaker has a limited time for their presentation.

<p style="text-align: center;">Page 8</p> <p>1 Distractions that make it difficult to hear or to see 2 what is being presented will not be tolerated. If 3 the distractions become unruly, I will ask you to 4 leave, but the group on Wednesday really was great 5 and I'm sure we'll have the same kind today. With 6 that, the Commissioners look forward to hearing from 7 everyone who has taken the time to participate. 8 I'm going to begin by calling on those who 9 signed up to speak on Wednesday, but were not present 10 when their names were called. 11 SPEAKER: (From Wednesday, August 14, 2002) 12 Good morning, Madam Chairman and Members of the 13 Planning Commission. My name is Susan Oldfield and I 14 live in Philomont. I strongly support your efforts 15 to implement the new Comprehensive Plan and Zoning 16 Ordinance. I only wish our former Planning 17 Commissions and Boards had had the vision to do this 18 20 years ago. Eastern and western Loudoun might be a 19 far different county than they are today. 20 As it is, those former Planning 21 Commissioners and Boards approved building permits 22 that will still take years to build out. Because of 23 those and recent subdivision applications that have</p>	<p style="text-align: center;">Page 11</p> <p>1 boundary lines will have access to the utilities. 2 If you see the map that I provided, this 3 white part that you see is my 100-acre property and 4 the public utility line runs right along side and 5 they intersect here. 6 The Planning Staff decided I will not have 7 the public utility they will have -- decided I will 8 not have, however, the neighbors, the boundary line 9 sharing the neighbors, will have utilities. These 10 properties where the utility access rights are owned 11 by large developers. 12 My property should be rezoned as TR-1 13 entirely and allowed to have access to these 14 utilities or the original A-3, CR-1 zoning 15 designation. If the County forces us, with the 16 proposed TR-3 zoning, it will cause us significant 17 financial impact. Thank you. 18 SPEAKER: Good morning ladies and gentlemen 19 of the Planning Commission and thank you for the 20 opportunity to comment on the draft revisions to the 21 1993 Zoning Ordinance. 22 My name is David Hansen and I'm a Senior 23 Project Manager with Bowman Consulting in Leesburg,</p>
<p style="text-align: center;">Page 9</p> <p>1 whistled through under the old Comp Plan, I sincerely 2 urge you to disallow grandfathering and vesting. It 3 threatens to undermine the very essence of the new 4 Comprehensive Plan. Please, do not allow that to 5 happen. 6 Thank you so much for your painstaking 7 efforts and your dedication to this task. So many of 8 us, east and west, appreciate what you're doing. 9 Thank you. 10 SPEAKER: Good morning. My name is Parker 11 Leigh. I'm a resident at Hillsboro, Virginia, and 12 I'm also a member of the Between the Hills 13 Conservation Council. 14 First of all, I'd like to thank the 15 Planning Commission for their hard work on the 16 Comprehensive Plan. I think they're doing a very 17 good job in attempting to curtail some of the rampant 18 overdevelopment that's occurred in the past decade or 19 more. 20 First of all, I'd like to say that I think 21 grandfathering is a very bad idea. I think, in 22 effect, what you're doing by grandfathering is 23 stealing from your grandchildren, you're stealing the</p>	<p style="text-align: center;">Page 12</p> <p>1 Virginia, and I've been a resident in Loudoun County 2 since 1985. 3 First, I would like to thank the Staff and 4 the County's consultant for their work on the new 5 Article 6, Division G, Section 6-2000, Conservation 6 Design. They appeared to have listened to the 7 comments and suggestions offered by the panelists and 8 the Conservation Design Focus Group by including 9 flexibility in lot size, configuration and setbacks, 10 as well as the ability to utilize alleyways without 11 the need for variances or special exceptions in all 12 of the zoning categories for residential use. These 13 changes are commendable and I'd like to add that 14 flexibility in lot frontages would also be necessary. 15 I was fortunate enough to have been 16 selected by County Staff to sit on a panel of the 17 Conservation Design Focus Group held in this very 18 room on the 14th of May this year. I believe that I 19 was selected for this honor because my clients, my 20 firm, and I have been embracing the tenets of Green 21 Infrastructure preservation and the use of 22 Conservation Design for almost two years and we have 23 successfully produced a number of projects with the</p>
<p style="text-align: center;">Page 10</p> <p>1 quality of schools, air, water, traffic, and quality 2 of life. 3 Secondly, I believe that vesting is very 4 unfair to those landowners and developers who have 5 gone through the normal process and review, and in 6 effect, granting a preliminary approval so that those 7 people can, in effect, avoid the normal due process, 8 the environmental and other economic impacts through 9 development. 10 Secondly, I'd like to say that I think 11 water is a very important resource and I think that 12 the Plan does a lot to help preserve the water 13 quality and supply. Thank you very much. 14 SPEAKER: Good morning. My name is Kyong 15 Han. My property is located at 25158 Knight Beach 16 (phonetic spelling) Farm Road, Aldie, Virginia. 17 I'm here to present my disagreement with 18 the proposed TR-3 joint designation of my property. 19 The property is surrounded by PDH-4, PDH-3, and TR-1 20 properties. The public utilities are planned to run 21 along side my property. I have been told by the 22 Planning Staff that my property will not have access 23 to the utilities, but the properties sharing my</p>	<p style="text-align: center;">Page 13</p> <p>1 help of Staff implementing many of the requirements 2 now contained within the Draft Ordinance. 3 There was a hope that the newly adopted FSM 4 and the proposed revisions to the Zoning Ordinance 5 would be more in tune with each other promoting the 6 use of less invasive or low impact design and 7 construction while allowing flexibility regarding lot 8 size, frontage and configuration. Unfortunately, it 9 is unclear as to whether or not this is the case. 10 In one instance, the FSM states that curb 11 and gutter should be used on all residential 12 developments with a minimum allowable frontage of 13 less than a hundred feet. Inasmuch as all the 14 suburban residential zoning categories have minimum 15 frontages of less than a hundred feet, it therefore 16 seems unlikely that development will be able to 17 recognize both the benefits of low impact design 18 while adhering to the requirements of the 19 Conservation Designs listed in the revised Ordinance. 20 Additionally, having reviewed the Draft 21 Ordinance with specific regard to the primary and 22 secondary conservation areas, it appears that once 23 these areas are delineated, prioritized and</p>

<p style="text-align: center;">Page 14</p> <p>1 protected, there's nothing left to develop. Is this 2 actually the intent of the Ordinance? 3 I believe that these oversights, as well 4 discrepancies in the mapping of the Comprehensive 5 Plan and the new Zoning Map are a result of 6 unnecessary and an unrealistic rush to approve these 7 documents. One startling oversight is on the 8 Comprehensive Map where an approved and proper land 9 plan, as well as the boundary limits for a large 10 planned urban development, was ignored and 11 substantial residential areas within this pod were 12 overlain with an industrial designation. The new 13 Zoning Map correctly identifies the zoning of the 14 pod. However, an out parcel in the center was 15 rezoned to General Industrial. While the proposed 16 zoning of the out parcel correctly reflects the Comp 17 Plan, it's hardly realistic zoning as it places 18 heavy, and possibly noxious, industrial uses in the 19 heart of a master planned community. This area, 20 possibly several others, need to be revisited. Thank 21 you again for your time and good luck in the weeks 22 ahead. 23 SPEAKER: Good morning, Madam Chairman and</p>	<p style="text-align: center;">Page 17</p> <p>1 nasty, but it's -- it's wrong. You're punishing the 2 individual. 3 The last Board of Supervisors, everybody 4 said they listened to the developers. Well, I agree, 5 but this Board doesn't listen to anybody. They're 6 sure not listening to the people that elected them. 7 My particular -- one piece of parcel I own 8 is on Belmont Ridge Road just north of Evergreen 9 Mills Road. It's 15 acres. I'm not representing my 10 two neighbors, but they have 19 and six, 11 respectively, which makes a 40-acre block. This 12 40-acre block is in the middle of Brambleton, 13 residential on four sides. You have designated it as 14 PDG-1 -- PD-GI. That is heavy industrial. Where -- 15 there's no logic, no sound reasoning that you would 16 put 40 acres of heavy industrial in the middle of 17 residential. I can't come up with a reason. 18 Nobody's been able to give one. The nearest thing 19 I've got to an answer, "It's an oversight." Well, 20 I'm here to see if you could listen to the people 21 that this is effecting and correct some of these 22 oversights. 23 In summary, down in the Arcola area, the</p>
<p style="text-align: center;">Page 15</p> <p>1 Members of the Commission. My name is Cathy Belgin. 2 I'm a Land Use Planner with McGuire-Woods and I'm 3 here this morning to speak in opposition of the 4 proposed rezoning as it effects land in the western 5 portion of the County. 6 My client owns 55 parcels of land in the 7 vicinity of Snickersville Turnpike and Airmont Road. 8 These properties range in size from two- to three 9 acres to parcels of 30 acres and larger, the majority 10 of which are presently undeveloped. These properties 11 total nearly 800 acres. The properties are currently 12 zoned A-3 and proposed for designation to the new 13 zoning districts of AR-1 and AR-2, which, as you 14 know, represent a substantial decrease in the 15 permitted density. My client is neither a developer 16 or a home builder, but rather, acquired these 17 properties in good faith as an investment with the 18 reasonable expectation of a return based on the 19 existing Zoning and Comprehensive Plan language that 20 was in place at the time. 21 After hearing a lot of the testimony that 22 you-all have heard from citizens that were presented 23 on Wednesday who are similarly affected, it seems</p>	<p style="text-align: center;">Page 18</p> <p>1 Dulles district, they've got the 606, which is now 2 the Loudoun County Parkway corridor, okay, that's all 3 light industrial, heavy industrial. Fine. It's 4 designated. We can't go back and make it farmland. 5 We can't change what's happening now. You're 6 changing the future, our future. Leave that as what 7 it's designated. Take this light industrial, 8 industrial and put it where it should be. Leave the 9 residential where it is. That's where it should 10 stay. 11 Me, personally, my taxes in 2000-2001 went 12 up 40 percent, 2001-2002, 67 percent. If this goes 13 through, my land is devalued to half. I'm still 14 going to pay those high taxes on residential 15 property. You've got to listen to the people in the 16 area that you're effecting. I thank you for your 17 time. 18 SPEAKER: I'm Lillie Richardson and I'm 19 here for my parents. They're the owners of the 20 property. They have 20 acres that they've owned on 21 Route 659 for over 40 years. They're neighbors -- 22 they're property neighbors of Mr. Graham, who just 23 spoke, and it's been zoned CR-1 and A-3 residential</p>
<p style="text-align: center;">Page 16</p> <p>1 evident that a number of individual property owners 2 are being unfairly punished for the effects that 3 rapid, sprawling growth have had elsewhere in the 4 County without the adequate infrastructure and 5 services to support that growth. We are sympathetic 6 to the problem that this kind of growth will create 7 and believe that Loudoun County Staff should be 8 commended for trying to address this problem and make 9 sure that it does not continue in the future. 10 However, I truly believe that the proposed down 11 zoning is, in effect, punishing individual property 12 owners, and therefore, we would request that you 13 reconsider this proposal for down zoning of the lands 14 in these areas as it will adversely affect my client 15 and other property owners in the County. Thank you 16 for your consideration. 17 SPEAKER: Good morning, ladies and 18 gentlemen. My name is Roy Graham. I live in the 19 Dulles South district. I happen to own three parcels 20 that is effected by this. I also have been in the 21 County for over 40 years, have owned property for 22 that amount of -- over that amount of time. 23 This new proposal, if -- I don't want to be</p>	<p style="text-align: center;">Page 19</p> <p>1 for the entire 20 years that they've owned it. 2 Anyway, we got a letter last week that says 3 that it's going to be, as Mr. Graham said, rezoned to 4 PD-GI, Planned Development General Industrial. 5 Anyway, the situation is just as he said, because 6 we're a part of that 40 acres. 7 So, we're wondering why and kind of what 8 happened that caused this after all this time to be 9 zoned industrial and we're wondering what the 10 justification was for that action. 11 We reviewed the land plan for the 12 Brambleton Project and the golf -- Brambleton and all 13 the houses and the golf course and planned 14 residential uses of various types that about the 15 property line that we have, which is now zoned 16 industrial, and it -- I have a picture. I doubt that 17 you can see it. I'll just leave it with you. 18 Anyway, the blue line shows the current line. This 19 is Brambleton -- can you even see that -- and the 20 blue line is the industrial edge and this is the 40 21 acres that we're speaking about and this is the 22 east-west connector and this seems like a more 23 logical boundary for the industrial part. This is</p>

<p style="text-align: center;">Page 20</p> <p>1 all industrial here already. This seems like a 2 better line of demarcation for this to be industrial 3 below this, and above that, to be all residential. 4 Anyway, I'll leave this with you. 5 Anyway, so -- excuse me just a minute -- 6 the letter from the County also states that we're in 7 the Airport Overlay district, and we've consulted an 8 engineer who very carefully went over it and said we 9 are, indeed, outside, located outside the C-5 LDN 10 contour. 11 So, we just strongly object to these 12 actions and are sort of wondering about an 13 explanation, but we think probably it's a mistake, 14 and we appreciate all that you have to deal with. I 15 mean, we realize that this is -- our's is just a -- 16 theirs is just a 20-acre little piece of Loudoun 17 County. It's very insignificant to you-all. My 18 parents are 83 and 84 and it's a very big deal to 19 them. They wanted to -- can they say something? 20 MS. MILLER: Mr. Stoltz is going to talk to 21 you about the Airport Overlay. He'll talk to you in 22 the lobby. 23 SPEAKER: (Ava Abrams...) Good morning.</p>	<p style="text-align: center;">Page 23</p> <p>1 can build one, 6,000-square-foot mansion, a 2 5,000-square-foot mansion, four 1,000-square-foot 3 homes, five, 3,000-square-foot homes, whatever. You 4 have the flexibility to design your own configuration 5 as long as no building is higher than 35 feet tall 6 and the end result meets Conservation Design and 7 other design standards. The economics of the 8 development are yours alone. The scale then will be 9 rural." 10 What makes the cluster problem even more 11 troublesome is the Ordinance response to the 12 question: Can a farmer create a cluster, and if he 13 has enough land, again subdivide and create a special 14 exception business unrelated to agriculture, or a 15 separate cluster elsewhere on the farm? A review of 16 the argument suggests the answer is still, yes, if 17 the farmer had enough land. 18 Again, may I suggest an alternative? If a 19 farmer elects to cluster homes on part of his land, 20 or a farmer elects to carry on a special exception 21 use on part of his land, then what would have been 22 permitted by right on the other parts of his land 23 remains committed, but what would have been permitted</p>
<p style="text-align: center;">Page 21</p> <p>1 Thank you very much for letting us speak with you 2 today. Let me start by saying that the consultants 3 have done a good job of breathing zoning life into 4 the Supervisor's and the Commission's Smart Growth 5 Plans. 6 First, scale, with respect to housing. By 7 and large, the scale as referenced in the new Zoning 8 Ordinance, the scale proposed is too dense. The 9 Ordinance, for example, in the northern tier, permits 10 20 acres, one house per 20 acres, or 10 houses per 11 100 acres, as long as they are clustered. The 12 maximum height of these new houses is to be 35 feet. 13 They can be placed anywhere on the land as long as 14 they comply with Conservation Design. This makes no 15 sense, primarily, because not included in the density 16 calculations are guest houses and tenant houses. If 17 the Ordinance is permitted to stand as written, there 18 is no limit to how many houses can be built on a 19 20-acre lot. 20 The problem with density is compounded by 21 the height scale, especially in the cluster setting 22 as the scale produces very bulky buildings, and in a 23 cluster setting, worse, suburban developments in a</p>	<p style="text-align: center;">Page 24</p> <p>1 there by special exception is no longer committed. 2 In other words, let a person elect how they want to 3 develop their land comprehensively, strategically so 4 that the western tier does not develop into a bunch 5 of little clustered town homes and little clustered 6 farmettes. 7 SPEAKER: Good morning, Madam Chairman and 8 Members of the Loudoun County Planning Commission and 9 the County Staff. I'm Joe Andrews, Vice President of 10 Real Estate, for Luckstone Corporation. We're 11 fortunate to operate five businesses now in Loudoun 12 County, three of them being quarries, one on Goose 13 Creek, Route 654, Cochran Mill Road, one on Route 14 659, Belmont Ridge Road, and we recently acquired 15 Bull Run on the southern end of Route 659, the Gum 16 Spring Road. 17 Quarrying has been a part of Loudoun County 18 for at least over a hundred years and Luckstone has 19 been privileged to be a part of Loudoun County in 20 this industry for 30 years. The County's 21 appreciation and approach towards quarries is very 22 positive. The importance of the products that we 23 produce is recognized by you and others in the</p>
<p style="text-align: center;">Page 22</p> <p>1 rural setting. 2 Play out the Ordinance. The residential 3 cluster option permits ten houses each 35 feet tall 4 by right on a hundred acres. This could mean that 5 you would have ten houses extending as long as 1,230 6 feet. 7 So, may I suggest an alternative for County 8 consideration, one that is distinctly rural in 9 nature, that meets the goals of the Comprehensive 10 Plan and allows owners and developers maximum 11 flexibility with the requirements of ten houses and 12 Conservation Design? Instead of thinking cluster 13 alone, think average cluster house size. Right now, 14 before modern American vernacular development came to 15 northern Loudoun County, most rural houses were in 16 the under 2,000-square-foot range, including garages. 17 Some people today want bigger houses. So, let us say 18 that the average rural house scale house today should 19 be 3,000-square, again, including garages. So, let 20 us have zoning that says to the owner who wants to 21 place ten houses on a hundred acres, "You have 30,000 22 square feet available to you, do with it as you may. 23 You can build two, 15,000-square-foot mansions, you</p>	<p style="text-align: center;">Page 25</p> <p>1 approval of the Revised General Plan and the language 2 that's in that in regards to Mineral Extraction 3 Resource districts by your approval last summer. 4 Overall, we feel the extractive industry and proposed 5 revisions are fair and consistent with the Revised 6 General Plan. 7 We do have a few comments on certain items 8 that we wish to submit to you in writing and we 9 respectfully request your consideration and proper 10 resolution of each. 11 First, due to the long term nature of our 12 industry, we are concerned about the proposed change 13 to Section 1-103(F1), Existing Special Exception and 14 Variances. 15 Secondly, we request certain corrections to 16 errors be made to the 1993 Official Zoning Map that 17 have occurred as different versions of the 1993 Map 18 have been printed. 19 Lastly, corrections to the existing Quarry 20 Notification Map and a request that the Quarry 21 Notification overlay be shown on the Official Zoning 22 Map. 23 I thank you for this opportunity to speak</p>

<p style="text-align: center;">Page 26</p> <p>1 to you this morning. We're ready and willing as 2 Luckstone, as well as Randy Minshew, who's working 3 very closely with us, we're ready and willing to work 4 with you and/or Staff on any of these matters, and we 5 just ask that you please call on us if we can be of 6 any help. Again, thank you.</p> <p>7 SPEAKER: Thank you, Madam Chairman and 8 Members of the Commission. I'm pleased to be here 9 today. My name is Winston Porter. I represent the 10 Paeonian Springs Council, which you know.</p> <p>11 What I want to do today, very briefly, is 12 summarize. Since I'm submitting a letter for the 13 record, I'm going to sort of summarize our testimony.</p> <p>14 Basically, what I'm here today to talk 15 about Paeonian Springs. You have -- your Staff has 16 come up with a Draft version of what, in fact, is 17 Paeonian Springs, as well as other villages, and the 18 Paeonian Springs Council, which I represent, would 19 like to propose today its own thinking in terms of 20 what the Village really ought to consist of. I want 21 to thank the Staff for the hard work and maybe this 22 will be helpful to you.</p> <p>23 I want to, first, very briefly, talk about</p>	<p style="text-align: center;">Page 29</p> <p>1 things in the Village.</p> <p>2 Our vision for the Village for the Council 3 is roughly as follows. I'll just summarize it 4 briefly. We would like to retain the sort of 5 pedestrian aspect to the Village where people can, in 6 fact, walk to things. We would like very much to 7 protect the W&OD Trail from encroachment of utilities 8 and other things that make it more difficult to use 9 so people can get to the trail and use it. We have a 10 very high rate of use of the trail by bikers up and 11 down all the way up from DC, and so forth. We would 12 like to restore its historic flavor, retain its 13 historic flavor. We would like to have, certainly, 14 some modest commercial and residential growth.</p> <p>15 I might say, parenthetically, that we have 16 been deemed eligible to apply for historic status for 17 the Village, if we so intend. We haven't made that 18 decision yet, but we've been told by the State 19 Historic Resources Department that we are eligible to 20 apply.</p> <p>21 One sort of negative note. We are 22 concerned, like a lot of people, I guess, about 23 transportation. We're right beside, in fact, we sort</p>
<p style="text-align: center;">Page 27</p> <p>1 the history of the Village, a vision for the Village 2 for the future, and some criteria for the proposed 3 boundaries of the Village.</p> <p>4 As many of you know, Paeonian Springs is 5 immediately west of Routes 7 and 9 about four miles 6 from Leesburg. In the late 1980's, a Mr. Milton, and 7 others, developed the Paeonian Springs Development 8 Company, which led to an 1890 subdivision, including 9 streets and alleys and a small lake and other 10 amenities for a resort village. This resort village 11 sort of went into play in roughly the 1900 timeframe.</p> <p>12 Another key thing that occurred about that 13 same time, the W&OD Railroad reached Paeonian 14 Springs. So, the key elements then were the fact 15 that you had a railroad coming through Paeonian 16 Springs and a small resort village with a number of 17 historic properties.</p> <p>18 The Village served several functions during 19 this 1890-1910 timeframe, roughly. There were resort 20 hotels, three resort hotels, there was a boardwalk, 21 and there were other amenities related to the resort.</p> <p>22 The Village, also, because of Paeonian 23 Springs itself, which turned out to have a very high</p>	<p style="text-align: center;">Page 30</p> <p>1 of surround -- we have some of the Village on the 2 south of Route 9 and some on the north. That's 3 getting to be a major challenge, of course, as 4 commuters from West Virginia, and elsewhere, 5 continually come down that road. Our particular 6 concern is that we sort of try to limit cut-through 7 traffic where people come, and as they reach the 8 Waterford Road area, as that begins to back up more 9 and more, and potentially you have a stop light 10 there, we're concerned that people may begin cutting 11 through the Village, which we don't think will be 12 helpful.</p> <p>13 Let me sort of close by talking a little 14 bit about the criteria for the boundaries. The major 15 thing I'm presenting today is what, in fact, we think 16 the boundaries of the Village should be. This is 17 certainly not an exact science, but let me tell you 18 what we think.</p> <p>19 First off, we have polled the people in the 20 area. We've had some public sessions. What we want 21 to do is listen to peoples' feelings in terms of what 22 they think the Village is. There's certainly a 23 focused historic piece that I think is pretty clear</p>
<p style="text-align: center;">Page 28</p> <p>1 quality of water, sent bottled water by the railroad 2 back into Congress to be used in those days.</p> <p>3 So, that was the good news that there was 4 this thriving resort village for 20 or 30 years in 5 the area where you could walk to things, and so 6 forth. Farmers shipped their produce back into DC 7 and other places on the W&OD Railroad.</p> <p>8 By the 1920's, however, the Village had 9 begun to decline a bit. The boardwalk had begun to 10 sort of fall apart and other things happened. I 11 guess the main thing that happened, though, was the 12 automobile came along and took a lot of folks off the 13 railroad. So, the Village did decline a bit.</p> <p>14 On the other hand, today, and over the 15 years, Paeonian Springs retained its sort of active 16 Village flavor where people can walk to the post 17 office and the Village Green, which is still there, 18 and has access to the W&OD Trail, but there's an 19 intervening period around 1980, or so, when a very 20 good bit of planning, the W&OD Trail was made into a 21 linear park with biking, hiking and horseback-riding. 22 So, the major amenity now for Paeonian Springs is the 23 use of the trail as well as being able to walk to</p>	<p style="text-align: center;">Page 31</p> <p>1 to everyone, that is, the Paeonian Springs Village. 2 The question is: How far out from that you go? So, 3 we've tried to listen to peoples' wishes who think 4 historically, they've been in the Village, or they 5 identify with the Village. We think that the Village 6 should extend north somewhat, or not extend, it 7 should be recognized as somewhat north of Route 9, 8 because there's related historic homes and commercial 9 operations just north of there we think that should 10 be part of it. We think general topography, 11 geography, property lines and road network, 12 obviously, are key things to consider.</p> <p>13 Finally, we think the Village should be 14 delineated clearly by existing roads and property 15 lines so that we have a fairly clear cut 16 understanding of what the Village is, and very 17 importantly, and we take some issue with some of the 18 work done by the Staff so far, we don't believe we 19 should bisect property lines. We think we should 20 follow property lines or road lines.</p> <p>21 So, I'm just going to close by saying that 22 I've attached to my testimony a map, which looks sort 23 of like this, which has an orange line that</p>

<p style="text-align: center;">Page 32</p> <p>1 delineates what we think the Village should be based 2 on these criteria. 3 I might close by saying I would also 4 encourage the Staff and the Commission to maybe firm 5 up those criteria a little bit in terms of what is a 6 Village. Thank you very much. 7 SPEAKER: Good morning. My name is Marvin 8 Davis. I'm a resident of the Stoneleigh subdivision 9 in western Loudoun County and also the President of 10 the Stoneleigh Homeowners Association. In that 11 capacity as the President of that Homeowners 12 Association, I'm appearing this morning. 13 I'd like to address four points as they 14 relate to our subdivision only. Stoneleigh's 15 subdivision consists of approximately 620 acres, 142 16 custom lots ranging in lot size from one to five 17 acres, the vast majority of those lots being 1.5 to 18 two acres. 19 The first point deals with the proposed 20 zoning areas for Stoneleigh. The consultant has 21 proposed three separate zones, if you will; JLMA-1, 22 and 3, as well as AR-1. 23 Although we understand that the consultant</p>	<p style="text-align: center;">Page 35</p> <p>1 Thank you very much. 2 SPEAKER: Good morning. James D. Atkins, 3 38315 Snickersville Turnpike, just south of 4 Philomont. 5 Just like the gentleman that the lady in 6 black, the land use planner, represented, I own land 7 that is currently zoned A-3. Under the existing 8 zoning, I can subdivide my land, make a lot of money, 9 and I've owned it several years. 10 So, the question I parenthetically ask is: 11 Is that democratic to deny me the right to do that, 12 is it right, in general, to deny me that? I'll 13 respond to that that it is. It is the right thing 14 for you to do. 15 If I were to subdivide my land, my 16 neighbors were to subdivide their land, the gentleman 17 up at Airmont to subdivide his land, it would be very 18 adverse to the environment around us, it would 19 increase the traffic on Snickersville Turnpike, which 20 is very heavy right now, it would adversely impact 21 the economy, the tourism, my horse business. 22 I plan to retire and raise horses. So, I 23 applaud you, I support the down zoning, my neighbors</p>
<p style="text-align: center;">Page 33</p> <p>1 was asked to do a mechanical map, if you will, to the 2 existing underlying Ordinances, as we look at those 3 three proposed Ordinances, we think they're extremely 4 inconsistent with those three different types. Our 5 preliminary evaluation is that the appropriate zoning 6 should be JLMA-3. 7 Consistent with that, the Planning 8 Commission has recently informed the Town of Round 9 Hill that they should provide sewer taps to our last 10 section of the subdivision, which also further 11 supports that the entire subdivision should be in 12 JLMA-3. 13 Second point deals with those lot owners 14 who currently own the lot but who have not been able 15 to build out yet. We believe in this existing 16 recorded subdivision they should be permitted to 17 build out against the existing Ordinance versus a 18 newer Ordinance that would be potentially more 19 stringent. 20 Third, is the subject of bed and breakfast 21 establishments as they relate to a community as 22 Stoneleigh with our kind of density. We fully 23 support and understand the County's perspective to</p>	<p style="text-align: center;">Page 36</p> <p>1 support it, and we hope that we get on with it so 2 that we can maintain western Loudoun in the 50-acre 3 plan that you are considering. It will be the right 4 thing to do for the area. Thank you. 5 SPEAKER: Good morning, Madam Chair and 6 Members of the Commission. My name is Farzin 7 Sadeghi. Wednesday afternoon when I came here, I 8 thought that I'm so early so I can be speaking that 9 day, but it was about 80 percent in front of me. So, 10 I came today and I have submit a written request for 11 the lady. 12 That letter was indicating that the 13 property that we have is a distance between 700 to 14 about 3,000 feet of quarry. I wrote that that is 15 really a area that has been designated for 16 residential. I'm not so sure the reasoning there. 17 Other things is that I used to be in that 18 neighborhood and when they are blasting their quarry 19 the shock and really the sound is quite uncomfortable 20 for whoever lives in that area. 21 The other things that I have mentioned is 22 in the hearing of the Wednesday there was a lot of 23 comment about not having enough commercial or</p>
<p style="text-align: center;">Page 34</p> <p>1 try and promote rural tourism, if you will, and the 2 rural economy, which we certainly support, but it's 3 having unintended consequences on a subdivision like 4 Stoneleigh. We do not believe, and ask for your 5 support not to permit, either as a matter of right or 6 special exception, B&B establishments in rural 7 residential subdivisions that have the kind of 8 density that we have. 9 We've had an incident this year in which a 10 B&B was started in our subdivision and this pitted 11 neighbor against neighbor in terms of them believing 12 that they bought into a purely residential 13 subdivision and now they're seeing a commercial 14 enterprise in their subdivision. 15 Last, but not least, I'd ask you to give 16 some consideration of the circumstances when a 17 homeowner has already built out against an older 18 Ordinance, if you will. If there's an act of God, 19 there's a fire, or something of that nature, and the 20 homeowner has to rebuild, we believe it's reasonable 21 that homeowner should be able to build against the 22 Ordinance that exists at the time he or she 23 originally built versus a change or newer Ordinance.</p>	<p style="text-align: center;">Page 37</p> <p>1 industrial area for the County and my request, my 2 feeling is that the matter is a bit more room for 3 such a thing and this having light industry or 4 whatever industry that could be between quarry and 5 the residential, I believe, is a good buffer. 6 The last that I want to mention is I 7 remember in the opening of the Toll Road and 8 Secretary of Transportation on that time was praised 9 very much for Toll Road and they put that as the 10 future road programs of the big cities and, I 11 believe, following that came Master Plan that was 12 mostly concentrating on that area. 13 I believe that in this Zoning, proposed 14 Zoning, the Toll Road has not been used very well. 15 There's a lot of area that could have access to the 16 road that is most important element in the 17 developments. If you look at 66, 95, or between 18 Baltimore and Washington, in all of these, the real 19 things that causing development is the existence of a 20 highway, but the Toll Road has not been utilized in 21 this Zoning, and if really there is -- if found in 22 their administrations that probably that would be a 23 better use for the future in making the roads. I</p>

<p style="text-align: center;">Page 38</p> <p>1 don't think that this will be a very successful 2 project. So, that's my comments. Thank you very 3 much. 4 SPEAKER: Good morning, Madam Chairman, 5 Members of the Planning Commission. My name is John 6 Nicholas and I live here in the Leesburg area. I 7 have -- am representing two different groups 8 tonight -- this morning, as well as myself. I hope, 9 Madam Chairman, you will bear with me if I slip a 10 little over my three minutes, but I hope not to. 11 MS. MILLER: Did you have a letter, John? 12 SPEAKER: No. 13 MS. MILLER: Everybody else has played by 14 the rules. I'm going to ask you to do the same. 15 SPEAKER: I'll fit it in with three 16 minutes. The first is MBF Partnership and it has to 17 do with the TR-10 district, bed and breakfasts, 18 country inns, and rural resort and conference 19 centers. 20 As drafted, the Zoning Ordinance has all 21 the TR Districts and the JLMA's in the same 22 performance standards in the rural area, which I 23 don't think would be appropriate as the scale. I</p>	<p style="text-align: center;">Page 41</p> <p>1 you've got some real problems in the secondary 2 conservation not only just for housing but, also, for 3 the commercial. I know you've heard that before. 4 Also, I think that I have two other points 5 here I want to -- one other fact in remapping. Why 6 are you remapping peoples' properties to an up zoned 7 category, in some cases, whether it's up zoned in the 8 commercial and suburban area, or up zoned to 9 residential and commercial and it had never been 10 suburban area? Why aren't we getting proffers? Why 11 aren't we letting it go through the normal process 12 and get real proffers which we desperately need, and 13 also, capital proffers like everyone else? Where's 14 the fairness to up zoning these properties to a by 15 right status? 16 The last point I would ask is because of 17 all the complications here, because of all what 18 you've heard, and I know you're doing your job and 19 considering all of these things and probably will 20 make, hopefully, a substantial amount of changes in 21 this before it goes to the Board of Supervisors, 22 because of that, I would like to recommend to you a 23 second public hearing when you're done. When it's</p>
<p style="text-align: center;">Page 39</p> <p>1 think you ought to look at that. If that were to go 2 forward with the current intensities, we would not 3 move forward with our expansion for our country inn, 4 nor would we move forward for our resort and 5 conference center on our property. You can take a 6 look at it. I've got a handout to this with more 7 detail on all three subjects that I'm talking to and 8 the secretary will hand one out to you. 9 Also, even in the AR district, with the 10 various intensities and acreage that you have, I 11 think it would be inappropriate for principal use, by 12 right use. I think you should take consideration of 13 just looking at the very minimum. 14 For example, bed and breakfasts on whatever 15 the minimum size in that district of seven or eight 16 would be a reasonable principal use. I know you're 17 trying to accomplish that to add some principal uses, 18 but to go up in higher intensities with larger 19 acreages, I think you will find it self-defeating. I 20 think you will never find to actually accomplish 21 that, and I think, in fact, it's better than special 22 exceptions on those higher intensities because not 23 every site, not every location is appropriate for</p>	<p style="text-align: center;">Page 42</p> <p>1 drafted, bring it forward again. I think you'll do 2 the citizens a good justice. Thank you very much 3 Madam Chairman. 4 SPEAKER: (Bryan Beier) I'm here on behalf 5 of my father, Emerson Beier, and the family trust 6 that collectively owns about 29 acres that fronts on 7 Route 705, or Braddock Road, and my family objects to 8 the proposed map to the extent that it suggests an 9 AR-1 zoning classification for the property. 10 There's, basically, three reasons for this. 11 First, a designation is inappropriate given the 12 intent of the AR-1 zoning classification. Commentary 13 to the proposed Ordinance states that AR-1 is 14 intended to implement the Revised General Plan 15 policies for the northern tier of the rural policy 16 area. Well, this property is well south of the 17 northern edge of the southern tier of the rural 18 policy area. It's very near to the end of the long 19 slender finger extending southward past the high 20 density Winchester Homes Development, which is 21 adjacent to our property to the east. 22 The commentary also states that AR-1's 23 principal purpose is to protect the rural character</p>
<p style="text-align: center;">Page 40</p> <p>1 those higher intensities. I've heard an earlier 2 speaker talk about the basic principal by right use 3 on some of the smaller with a minimum parcel, but I'd 4 like you to consider that. 5 On another case, it's the Nicholas-Farkus 6 (phonetic spelling) joint venture, it's a property 7 found north of Braddock Road and adjacent to a couple 8 of other properties there. It's split zoned between 9 TR-1 and R-1 and I have all the facts that you can 10 hopefully read and realize that split zoning is not 11 appropriate there. Northern properties to us are not 12 split zoned. I don't know why we would be singled 13 out for that split zoning. There's also much 14 flexibility in the Ordinance and in the General Plan. 15 I think I have those facts there you should read. I 16 would appreciate your reading them. 17 Lastly, as citizen, I have a couple areas 18 of concern. The greatest area of concern is the 19 secondary conservation resources. I think they're 20 arbitrary, way too arbitrary, way too capricious. 21 One planner would say one thing, another planner 22 would say another. I have no problem with some of 23 the ideas and the concepts there, but I do think</p>	<p style="text-align: center;">Page 43</p> <p>1 of the western portion of Loudoun County. Now, 2 there's always room for debate about division between 3 east and west, but there can be little doubt that 4 this particular property is located in the southeast 5 portion of the County, and it's not just adjacent to 6 the proposed Upper Broad Run transition area, the 7 line between the transition area proposed AR-1 8 district runs right through our property. 9 Second, the designation is inappropriate 10 because it's inconsistent with the character of the 11 area. As I mentioned, there's a large Winchester 12 Homes Development adjacent to the property on the 13 east. We understand there's also a large development 14 underway to the south of the property by D.H. Horton 15 and that, potentially, a hundred houses or more are 16 slated for development on both sides of Route 705 17 toward Route 15. 18 In addition, there are houses fronting 19 along 705 at intervals far less than one per 20 20 acres. Several of those houses are on lots that are 21 just an acre or two, yet are proposed for AR-2 22 designation. 23 So, in short, the preexisting uses and the</p>

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1 development that is underway has changed the
2 character of the area so it no longer has the
3 characteristics of a proper AR-1 area.
4 Third, the designation is inappropriate
5 because it has every appearance of specialized or
6 spot land use controls.
7 As I mentioned, this is part of a long,
8 slender finger and on the one side -- on the other
9 side of 705, the western side, is the eastern edge of
10 the AR-2 area, and this property, our property, is
11 just one of a handful that has been singled out for a
12 proposed AR-1 designation, and especially in view of
13 the existing uses of the surrounding property, we
14 just fail to see any reason for this treatment for
15 the existence of this finger.
16 Given these facts, we're left to wonder why
17 is most of our property designated AR-1? The first
18 question is: Why isn't it AR-2 like our neighbors
19 further up Route 705 toward Route 15? Well, we don't
20 know, but one fact that occurs to us is the fact that
21 the property is less than 50 acres and is relatively
22 unimproved. My parents bought the property in 1976
23 and we fenced it, we planted a garden, we planted

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1 orchards, we run cattle on it, but there's no house
2 on it, and if it were zoned AR-2, we wouldn't be able
3 to build. Why isn't our entire parcel included in
4 the transition area? Well, because that might extend
5 the need to have the transition -- extend the need to
6 have the transition area cover a larger area than it
7 currently does and impose additional burdens on the
8 County. We thank you the Commissioners for the
9 opportunity to present these views.
10 SPEAKER: Good morning. My name is Ann
11 Robinson and I want to thank you for your courageous
12 and difficult work.
13 First, I'd like to read just a couple of
14 short clips from the newspaper. The first is from
15 the Post, "The Council of Government declared today a
16 Code Red day warning of unhealthy air pollution
17 levels. The high amount of ground level ozone can
18 cause coughing, nausea, eye irritation. The Council
19 suggest that people, especially children, stay
20 indoors." That's been in the paper, I think, four
21 times this week. In USA Today, "Automobile exhaust
22 is linked to heart attacks, car and truck exhaust
23 fumes, specifically the particles spewing from

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1 millions of tailpipes, pose a serious risk to people
2 with heart disease. The problem of particulate air
3 pollution is pervasive and growing which predicts a
4 greater impact from this insidious contributor to
5 heart disease as traffic worsens."
6 As we are rapidly discovering, many unfair
7 profit seekers in our national economy are willing
8 for the rest of us to pay any price in order that
9 they might reap the millions, skip off to Bermuda, or
10 wherever they can, to find a comfortable life while
11 the rest of us deal with unemployment and loss of
12 portfolios, or with Code Red warnings, dry water
13 wells, alternative septic systems, impaired streets,
14 and congestive growth.
15 In our case, avaricious developers have
16 even successfully pitted us against each other, as
17 you can see from the back of the room, in our own
18 community cleverly charging everything from racism to
19 communism to drive a wedge between citizens who could
20 and should be working together at the State level to
21 demand that more tools be given to you, our local
22 government, to require developers to consider
23 community interests in addition to their own, but

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1 pending that happy day, I am here to support and
2 encourage your efforts to bring sanity to the rampant
3 development in Loudoun County using what few tools
4 you do have.
5 My husband and I are landowners, too. We
6 have close to 200 acres in three different states.
7 So, we're not totally incapable of understanding the
8 arguments of the CPR Group, however, I disagree with
9 the venue of their efforts. We need to go to
10 Richmond together and demand the developers start
11 paying their fair share.
12 To those in the audience who explained that
13 they have worked hard on their land and somehow
14 deserve a "better return," I say, yes, you probably
15 have worked hard, but you're not the only ones, as
16 others who toil daily, whether it's changing bedpans
17 in the hospital, or cleaning restrooms in the
18 schools, patrolling our streets at night, or
19 answering fire alarms, also deserve to be able to
20 take an outdoor family picnic on a Sunday afternoon,
21 or go fishing on a day off, or not developing heart
22 or lung disease.
23 Specifically toward your Plan, the Green

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1 Party, which I represent today, would like to offer
2 strong support for the Conservation Design Ordinance,
3 the proposed River and Stream Corridor Overlay
4 District, and the Steep Slope standards, as well, we
5 want to press stronger treatment for tree
6 preservation.
7 Let me be clear: I believe in responsible
8 capitalism as an economic system and in private
9 property in principal, but no one has an inherent
10 right to make a high profit by passing the --
11 MS. MILLER: Thank you. Page Moss
12 Fletcher, Number 23.
13 SPEAKER: Hello. I'm Page Fletcher. I
14 live in Between the Hills, a wonderful area in our
15 County up close to West Virginia, close to Harpers
16 Ferry. I'm here to speak for myself and my family of
17 four. I live there. My youngest will be graduating
18 from a wonderful little school, Hillsboro Elementary,
19 this year and moving onto Blue Ridge, and I feel
20 really lucky to have gotten both my daughters through
21 that school because of the pressures with all the
22 growth in our area. Lovettsville put on an addition
23 that took some of the pressure off and Round Hill

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1 brought in an elementary school that also took off
2 some of the pressure. So, we were able to keep our
3 class sizes down and really have a superb experience
4 there at Hillsboro.
5 Pressure is coming in Between the Hills in
6 the form of some A-3 by right subdivisions. There's
7 several within a half mile of my home. Rolling Hills
8 is about a half mile away, then, right across the
9 street, there's one called Salem Farms, and these
10 pressures -- it will simply pressure the school if
11 all these homes come on line, but more so, it will
12 pressure our water resources, and I'm, perhaps, more
13 worried about the water, because that's a finite
14 resource. We can always build more schools and I
15 know there's lots planned.
16 My youngest is at a sleep over tonight and
17 I called there to say that I might be late picking
18 her up because I was speaking here today. They said,
19 "Be sure and tell the Board that our well went dry
20 last night and we have about 12 little girls over
21 here." So, that's something telling also.
22 The most recent home that a friend of mine
23 built in Between the Hills, they had to plant their

1 well a thousand feet deep. So, I'm really very
2 concerned about that and would seek to support what
3 you're doing to down zone. That's why I'm here is to
4 support the plans that are being made.

5 With regard to vesting, it's my view that
6 land develop applications should not be vested unless
7 the owner has received a record plat or allotted
8 record.

9 With regard to grandfathering, it's my view
10 that there should be no grandfathering in the Zoning
11 Ordinance.

12 With regard to Conservation Design, I fully
13 support Conservation Design for all land development.
14 It's telling that we're having these conversations
15 with The National Geographic that just came out with
16 water pressures as their lead article. The cover
17 statement says, "The earth's six million people
18 already overtax its supply of accessible fresh water.
19 What happens when the planet gets a few billion
20 more?" That's what's happening here. Thanks for
21 listening.

22 SPEAKER: My name is Valerie Kelly.
23 Property rights folks claim that this Revised

1 retirement is secure when it is invested
2 speculatively with the expectation of profit.

3 A farm in Loudoun probably provided a
4 livelihood for many years. Expecting some specific
5 amount from it for retirement is like banking on
6 stock options, not a good idea, but they're not
7 making more land, and anyone who holds and cares for
8 the land will probably end up being well and amply
9 rewarded. There will be a market for land under any
10 zoning ordinance you pass. There will be lots of all
11 sizes readily available in Loudoun County.

12 You have done such good work in bringing to
13 Loudoun the best of current planning wisdom. Much of
14 this is being applied in other parts of the US
15 already. It looks radical only in Virginia, land of
16 the Dillon Rule, where real planning is usually
17 assumed to be too much trouble to bother with.

18 Over and over at the ballot box, citizens
19 of Loudoun have consistently asked that Smart Growth
20 principals be embodied in the law and land use
21 regulations. They want you to meet the needs of
22 existing citizens, create better natural resource
23 protection, protect and expand the rural economy.

1 Ordinance is a thief in the night stealing their
2 retirements. They protest government's right to do
3 any zoning or planning really, yet they cling to
4 zoning that was granted to them by a government
5 through an ordinance provision. Face it, government
6 does effect citizens' property rights. The
7 constitution even says it can as long as there is due
8 process of law. What has this been for the last two
9 years if not due process of law?

10 The government meddles in our lives and our
11 property all the time. They take money out of our
12 paychecks, they add cost to our gasoline and our
13 liquor, charge us for building permits and drivers'
14 licenses. The way government is supposed to work if
15 property rights are infringed it's for the greater
16 public good.

17 Government works for the community.
18 Individuals work for themselves. Corporations, on
19 the other hand, as we've been reminded recently, work
20 for the good of their stockholders, if we're lucky,
21 and the good of their executives for sure.

22 Someone suggested that you're like ENRON.
23 I would have thought it was corporate developers who

1 It's up to you now whether and when that happens.
2 Pass the Ordinance, send it expeditiously to the
3 Board. You can't prevent frivolous lawsuits. Pass
4 it anyway. Thank you.

5 SPEAKER: Good morning, Madam Chairman,
6 Members of the Planning Commission. My name is Chuck
7 Jones. I'm a resident of Leesburg. My firm is a
8 developer of rural residential, small rural
9 residential communities in western Loudoun County.
10 We've done this for 13 years and we have used
11 exclusively environmental design to do these projects
12 and to build these communities.

13 I've watched the Planning Commission for
14 the past two years as it went through its
15 deliberations and its chores of addressing the issue,
16 not only of down zoning, but also, of measures to
17 help manage -- or to have impact on growth
18 management.

19 I prepared a report. It's a market study
20 and also a development activity study for the past
21 three years. When I listened to you-all, it was
22 almost two years ago, and I sat and participated with
23 stakeholders, and so forth, in their sessions. I am

1 reap their profits largely on the backs of Loudoun
2 taxpayers over the last decade.

3 Don't let property rights rhetoric confuse
4 you. The feds decided that to protect the public
5 they had to close Reagan National Airport. They did
6 this even knowing that some of the employees and
7 vendors might suffer, that some people in businesses
8 would lose money, and some retirement plans may be
9 drastically changed. They exercised legitimate power
10 under the law to promote the public good.

11 Knowing what Loudoun County has faced
12 because of uncontrolled growth and lack of
13 environmental protections for our air and water in
14 the past few years to do the best for all the
15 citizens of Loudoun, you must pass this revision of
16 the Zoning Ordinance for the public good, even if a
17 few citizens actually do suffer some economic loss.
18 Now, in the end, they may not suffer a loss. Many
19 factors that effect property value and zoning is only
20 one of them. Land in nearby counties with more
21 restrictive zoning has still been a good investment.

22 We've certainly been shown recently that we
23 can't predict the future and that almost no one's

1 just absolutely rocked back on my heels by what the
2 market tells us about perceptions of the down zoning
3 as well as the actuality of measures put in place to
4 help control growth.

5 Since June 30th, 2000, the number of
6 parcels sold in western Loudoun County has declined
7 59 percent. The total acreage sold has declined 68
8 percent. The dollar value has dropped 49 percent.
9 Now, direct conclusions cannot be drawn from those
10 numbers, but what I've tried to do is to bring you a
11 report that does analyze western Loudoun's market
12 place.

13 If there is -- if growth management
14 practices exist today in western Loudoun County, it
15 is not caused by inadequate zoning, but rather by the
16 repeated failure of government to strengthen
17 residential subdivision ordinances and facilities and
18 performance standards.

19 Over the years, the Board of Supervisors
20 adopted a policy of a regulatory position by amending
21 our Zoning Ordinance to include development and use
22 options that offered extensive flexibility in the
23 residential use of land that had been historically

1 used as farm land. Such options provided for a large
 2 lot use as well as the clustering of smaller lots all
 3 carrying dedicated open space requirements and
 4 restrictions on further subdivision. All this to
 5 maintain the agricultural and natural resources of
 6 the County while meeting requirements of the
 7 expanding population. These zoning options were
 8 provided for an unusual variety of unusual
 9 residential opportunities for all segments of the
 10 Loudoun community. While becoming progressively more
 11 difficult, affordability and living accommodations
 12 has been available to Loudoun residents. These
 13 evolving zoning options have created over time a
 14 hierarchy of pattern and pattern of land values that
 15 accommodated a wide range of residential
 16 opportunities. To repeat, zoning is not the failure.
 17 Failure in growth management lies squarely in
 18 inadequate subdivision controls and development
 19 performance standards.

20 I must say that the proposed down zoning is
 21 truly Draconian in its effect. That translates, I
 22 think, if you translate Draconian, to harsh and
 23 cruel.

1 No matter how this decision has been
 2 rationalized, it will, and has already reduced the
 3 commodity value of the larger western Loudoun land
 4 tracts by at least 60 percent. The reduced densities
 5 imposed by the new Ordinance removes all monetary
 6 incentives that presently exist for landowners to
 7 participate in the granting of conservation
 8 easements.

9 The market data that we present in this
 10 report reveal that the category of a medium-sized
 11 lot, and we broken it down into the three sizes of
 12 lots that were broad in western Loudoun County; lots
 13 having acreage of five to 19 acres, or 20 acres,
 14 represent 31 percent of all parcels and 42 percent of
 15 the value of all land transactions in this three-year
 16 period. This classification of land and its range of
 17 acreage does not even exist in the proposed down
 18 zoning. This leaves a major affordability vacuum in
 19 the application of the Ordinance.

20 The two most significant impacts of the
 21 proposed zoning are the major loss of commodity value
 22 that presently exists and the equities of rural
 23 landowners, and two, the loss of an opportunity of

1 choice and the availability of a variety of house
 2 sites and finished residential products for all
 3 Loudoun County residents.

4 The decision of the Board to pursue this
 5 zoning change has precipitated extraordinary
 6 acceleration in rural residential development, and
 7 I've included in my report comments on that and
 8 descriptions of what we have during this last
 9 two-year period.

10 If there remains any opportunity for the
 11 Commissioners or Board Members to recalibrate their
 12 thinking on carrying this unfortunate down zoning
 13 forward, elements of this report could provide fuel
 14 for such decisions.

15 I do, and I know you're tired of reviewing
 16 documents and proposals and statistics, but I do hope
 17 that the information that we have set before you is
 18 meaningful. I think it is meaningful and I hope you
 19 have the opportunity to read it. Thank you so much.

20 SPEAKER: Good morning, Madam Chair and
 21 Members of the Planning Commission. My name is Nancy
 22 Hsu and I'm a resident of Between the Hills. My
 23 husband and I live in the former Emerick School, of

1 which there is a new one now in Purcellville. The
 2 old Emerick School was proudly proclaimed as the
 3 largest two-room schoolhouse in the County when it
 4 was built in 1920. When we bought our house, it came
 5 with a photo of 30 kids standing in front with no
 6 shoes on. At that time, the school and village was
 7 small enough they could walk to school with no shoes.

8 Many of our neighbors went to school in our
 9 house and the huge evergreen trees which line our
 10 driveway were planted by their classmates as small
 11 Christmas trees.

12 Between the Hills is the last remaining
 13 truly rural area in Loudoun County where the very old
 14 barns, walls, schools, churches, log cabins, and
 15 stone houses, many predating the Civil War, have
 16 remained in continuous use for normal everyday living
 17 without the protection of official historic
 18 designation. These structures, farms, and meadows,
 19 along with still pristine forest and mountainsides,
 20 springs and streams, with their abundant diverse
 21 wildlife, are the reasons why we chose to live in
 22 this valley and the neighbors are continuing to live
 23 precisely where their parents and grandparents lived.

1 Between the Hills should be considered by
 2 all Loudoun residents as a treasure worth saving and
 3 not as the last opportunity for developers to build
 4 more houses thereby changing the landscape and the
 5 quality of air, water, and all that which makes our
 6 area truly rural.

7 For that reason, I commend and strongly
 8 support the Planning Commission and the Board for the
 9 hard work you have done to revise the Zoning
 10 Ordinance.

11 There are specific refinements remaining,
 12 which I will suggest to you in writing. However, for
 13 now, I would like to focus on three key areas of
 14 concern.

15 First, the new provisions for conservation
 16 and design and environmental protection are
 17 critically important. Please do not allow these to
 18 be diluted in the review and approval process.

19 Second, please do not allow grandfathering
 20 and do not allow land development applications to be
 21 considered as vested until the record plat is
 22 received.

23 Third, please take immediate action to

1 include Between the Hills within the same A-2
 2 designation given to the southern tier.

3 Although the phrases, "environmental
 4 protection," and, "quality of life," have lately
 5 become cliches which cause people to roll their eyes,
 6 our presently healthy environment and healthy quality
 7 of life are what make Loudoun County special, and our
 8 environment and quality of life are in serious need
 9 of protection. You have taken some very difficult
 10 first steps and you can count on our support in going
 11 the rest of the way. Thank you.

12 SPEAKER: (Roger Lataille) Hi. I just
 13 wanted to let you know, and I know I've been before I
 14 don't know how many Commissions before trying to
 15 break a waiver lot off my farm, which took two years
 16 and almost put us out of business, we're trying to
 17 run a horse business there, our goal is to do a
 18 family subdivision on our lot and put some lots in
 19 our kids' names for their futures, their education.
 20 That was our dream, that's why we bought the place,
 21 run a business, develop a business to take care of
 22 our children.

23 The zest here is to combat builders and

1 developers, you know, the people that own the land
 2 are just being stomped on here. This is not right.
 3 So, why don't you make some people, the
 4 people that have the small lots, the people that
 5 complain the most about pollution are the one's with
 6 biggest cars, the guys complaining about the rezoning
 7 are the one's with three- to five-acre lots. Let's
 8 get this down. Let's change the thing where they all
 9 save on taxes because they own five to ten acres.
 10 They're all in land use. They don't own farms.
 11 They're not working farms. Let's make them pay and
 12 take that money and compensate whoever's land you're
 13 going to take, or land value you're going to take in
 14 this Plan. Make it fair. Make the people
 15 complaining with the small lots who have the value
 16 already, make them pay for it. Not the landowners,
 17 the people working hard. I work 16 hours a day and
 18 you're going to take \$500,000 of the value of my
 19 land, which is my kids' college education, okay. I
 20 want you to know that.
 21 Take my lot out of your Plan, out of it, I
 22 want it out of it. If it can't be out of your Plan,
 23 take me out of Loudoun County. I'll submit a new

1 drawing of Loudoun County, I'll circle my lot, and
 2 you can use that. I don't want it.
 3 I'm not going to take a lot of your time,
 4 but in my closing this has had a bigger effect on me
 5 than September 11th. I want you to know that. We
 6 have been terrorized for two years by a radical,
 7 socialist, eco-terrorist, religious group who would
 8 have us worship the ground we walk on.
 9 I'll tell you something else, they want to
 10 prevent all minorities, working class people, and
 11 elderly, from living in western Loudoun County,
 12 because you can't afford it.
 13 My taxes have doubled in the past two
 14 years. If it continues, you'll run me out of this
 15 County, okay.
 16 You're in charge of the plane, you're
 17 flying the plane, you're still in the cockpit.
 18 There's a handle on that door. Don't open it and let
 19 these terrorists in who are going to take our
 20 constitutional rights away, our American dream, and
 21 don't crash it into the tower of our constitutional
 22 rights. It's un-American, okay. You just cannot do
 23 this.

1 People live the American dream and they --
 2 I thought I owned my land, you know. If I'm right,
 3 get rid of this thing. Send it to China where it
 4 belongs. It's a socialist movement. That's all I
 5 have to say.
 6 SPEAKER: Good morning. My name is Jim
 7 Clarke. I'm Vice President for Citizens For Property
 8 Rights, but I'm going to speak to you as just plain
 9 me.
 10 I want to first make a comment. I am
 11 really surprised at how many people misunderstand the
 12 sacred freedoms that are involved with the words of
 13 private property rights. I don't know if too many
 14 people understand what it is to really enjoy personal
 15 private property rights.
 16 For two-and-a-half years, I have been
 17 speaking now in opposition to this change of Zoning
 18 and Remapping and Comprehensive Plan, most of the
 19 time, I have been speaking to you as Vice President
 20 as Citizens For Property Rights, but today I address
 21 you as just me and will tell you how these changes
 22 you are proposing will affect my wife, Eleanor, and
 23 I.

1 Having lived all my young life in northern
 2 Virginia, and Eleanor being born in Linden, just up
 3 the road, we are not Johnny-come-lately's to the
 4 area. About 28 years ago, we purchased 85 acres in
 5 southern Loudoun County in the area you now call
 6 Lower Bull Run. It was an abandoned and derelict
 7 piece of property. We paid \$1,100 an acre 28 years
 8 ago, \$93,500 in monthly payments for 25 years. We
 9 built our home that we still live in, and also, over
 10 the last 28 years, we have paid over \$100,000 in
 11 taxes to Loudoun County. When we purchased the farm,
 12 we also knew that we would have to make the land help
 13 pay the way. We worked both outside the farm and
 14 worked the farm evenings and weekends. We tried
 15 several conventional farming ideas which were not
 16 successful enough to be profitable. Finally, we
 17 turned to Christmas trees and planted about 5,000
 18 trees a year for seven years before our first sales.
 19 This seemed to be our niche and we made it work.
 20 Now, I don't know if any of you know, actually, what
 21 it is to work all day at a job and farm in the
 22 evenings and each weekend, but our farm is spelled
 23 W-O-R-K.

1 Like all people with the American dream,
 2 Eleanor and I thought we would someday be able to
 3 sell out and retire. In the early 1990's, a new Plan
 4 was passed by the County. There was an effort to
 5 direct housing into our an area that was not prime
 6 farmland and keep some control of expansion west of
 7 Route 15. It was accepted by the residents of the
 8 area and South Riding, Stone Ridge and Kirkpatrick
 9 Farms (phonetic spelling) are in the process of being
 10 developed right now.
 11 What you are proposing now in this Plan is
 12 to abandon the Dulles Southland Management, stock
 13 more housing in the prime area for development. You
 14 have passed no water and sewer in Lower Bull Run, but
 15 require 70 percent open space knowing full well that
 16 it doesn't perk and just can't happen. You have
 17 conspired and denied any housing below Braddock Road
 18 and that is wrong and will come back to haunt you.
 19 Eleanor and I have an opportunity to sell. We have a
 20 contract based on the requirements of the Dulles
 21 Southland Management Plan, but if it's changed to the
 22 new requirement that you propose and these changes
 23 are put in place, our contract will be null and void.

1 You, by your vote, will cost my lifetime savings and
 2 investment, and I will not stand by and let that
 3 happen without a fight. Your vote took away my right
 4 of consent. You will take away my investment, but
 5 you cannot vote for me to go away and shut up. I
 6 will sue you, each and every one of you. You have
 7 performed an illegal act when you set up the line at
 8 Braddock Road and said, "No matter what, no more
 9 below that line."
 10 SPEAKER: Good morning, ladies and
 11 gentlemen of the Planning Commission. My name is
 12 Cheryl Sadowski and I live in Fairfax County. I'm
 13 here because I support and laud Loudoun's efforts to
 14 plan its future intelligently. Fairfax County has
 15 not been so forward thinking and today stands
 16 testament to how a County evolves with poor planning.
 17 There is gridlock, there is little open space left,
 18 there is pollution. It's not pretty.
 19 Let me congratulate the Commission on the
 20 decisions that have been made thus far. The choices
 21 you have made have definitely not been easy.
 22 Following are some specific comments I
 23 have. Protecting natural and historic resources

<p style="text-align: center;">Page 68</p> <p>1 should never be an afterthought to development. 2 Water runoff, destruction of tree canopy, and the 3 loss of historic landmarks are having a serious 4 effect on the County. There are few contiguous 5 stretches of natural habitat left for wildlife, and 6 indeed, Virginia, actually, as a whole, has one of 7 the worst records for protecting its incredible 8 historic features. 9 Conservation Design brings these issues to 10 the forefront before development. It ensures that 11 these things are taken into consideration and helps 12 to sustain vital, rich, interesting communities that 13 help keep people around and improve property values. 14 I hope Conservation Design is applied to all 15 applications. 16 Finally, unlike Fairfax County, Loudoun has 17 made significant improvements in tree protection. 18 Please continue these measures as tree canopy has a 19 serious effect on how ground water is absorbed, how 20 ozone is negated, and how peat is absorbed. Mature 21 trees and forest, while certainly pretty, are a vital 22 resource for the health of this region and cannot 23 continue to be mowed down every time people want to</p>	<p style="text-align: center;">Page 71</p> <p>1 (SPEAKER FROM AUDIENCE) That woman had no 2 right to say anything. She doesn't pay taxes. 3 SPEAKER: (Laura DeCarlo) I'd like to 4 thank you all very much for allowing me to speak to 5 you today. My husband and I live in Sterling, 6 Virginia now, and just recently, we have purchased 7 land in Paeonian Springs, about 30 acres, a beautiful 8 wooded lot. We plan to build a house there, drop it 9 into the middle of the trees. We like to hunt, we 10 like green space, we bought our own. We're real 11 lucky, we now own a little piece of heaven in western 12 Loudoun. 13 If this Zoning Plan is adopted, it will be 14 much more difficult in the future for others like my 15 husband and me to get their own little piece of 16 heaven in Loudoun County. This Plan will 17 artificially engineer a fake rural area that will be 18 just a large playground for the wealthy. 19 People aren't buying into western Loudoun 20 because they want to farm. They want the opportunity 21 to get a bit more land than they could get if the 22 bought closer to the city. Now that opportunity will 23 be taken away from them. The people who farm now</p>
<p style="text-align: center;">Page 69</p> <p>1 build something. It has a detrimental effect. 2 Please continue to strengthen tree protection. 3 Also, open space for new developments 4 should be placed under a permanent conservation 5 easement. Otherwise, it can be lost someday and what 6 would have been the point. 7 Many of the objections that are raised to 8 the Ordinances seem to center around whether or not 9 property rights are absolute; can a community make 10 decisions effecting land value of the property 11 owners? Well, the flip side to this question is 12 whether or not a community can make land use 13 decisions that effect everyone's future, and they 14 can. 15 Many local landowners seem to think that 16 the right to development is divine. They forget the 17 very nature of a Planning Commission which is to make 18 the community in making these plans. If unlimited 19 growth were the order of the day, then we would just 20 let everybody build whatever they want, whenever they 21 want, and wherever they want. We cannot not allow 22 corporations to pollute water supplies even if it 23 reduces their profits. We require car companies to</p>	<p style="text-align: center;">Page 72</p> <p>1 know this. If their properties had values as farms, 2 they would sell them as farms. Instead, they have 3 buyers interested in having land to build homes on. 4 Now, why do we want to prevent that from 5 happening? If it's so important to maintain open 6 green space, it's also important to consider the 7 reason why we are doing it. Is all this open green 8 space that is for everyone really going to be used by 9 everyone? It's still going to be private land. All 10 the average person is going to be able to do is drive 11 through and look out the car windows at the green 12 space. They will have a very difficult time 13 obtaining any for themselves. 14 We might as well just put up a fence around 15 western Loudoun and say, "People Not Wanted. Stay 16 Out." 17 We're very lucky in this County. We have a 18 good economic base, both locally and all around us. 19 We have residents with assets who want to live and 20 work in our County. Why would we want to put the 21 brakes on that? It's easy to stop and slow 22 expansion. It's much harder to get it going again 23 after stopping it. Expansion in the form of more</p>
<p style="text-align: center;">Page 70</p> <p>1 pollution generated by their engines for the common 2 good. Clearly, a County Planning Commission can 3 determine for the common good and within their 4 jurisdiction how land will be used and developed. 5 These efforts are not intended to end development. 6 Loudoun is not trying to create Yosemite, but this 7 Board and this Planning Commission has, unlike 8 others, taken seriously its tasks of preserving and 9 sustaining the wonderful attributes and resources 10 that make the Loudoun landscape. 11 We all know that these issues should have 12 been raised 25 years ago, but who would have guessed 13 at the population growth that Loudoun would have 14 experienced? Many landowners were able to reap huge 15 profits selling to developers for a very long time, 16 and that was okay for a very long time, but I see no 17 reason to continue this disruptive path merely to 18 ensure that a handful of landowners can get rich at 19 everyone else's expense. Loudoun does not have to be 20 changed with a cycle of endless of development. 21 I respectfully ask that the Planning 22 Commission pass the necessary Ordinances to make the 23 Plan a reality. Thank you.</p>	<p style="text-align: center;">Page 73</p> <p>1 people is not bad, it just needs guidance and 2 standards and infrastructure. The County can provide 3 that guidance and those standards and that 4 infrastructure, but regulations that are designed to 5 keep people out of a large portion of the county will 6 only hurt us in the long run. 7 On a smaller scale, which, of course, what 8 life is all about, it will frustrate the dreams and 9 the goals of the very people who we want to be a part 10 of this County. 11 To those of you who want to maintain open 12 green space at the expense of people who merely want 13 to sell their land to those who want it, if green 14 open space is important space, buy it yourself. 15 That's what me and my husband did. 16 This County needs the people who live here 17 and who live here in the future, and their ability to 18 make their own decisions and buy the land that they 19 want is important if not more so than any other 20 considerations. 21 Don't put barriers up to prevent others 22 from getting their own little piece of heaven in 23 western Loudoun. Thank you very much.</p>

1 SPEAKER: Good morning. I'm Jim Connors.
2 As most of you know, I'm a Member, and currently the
3 Chairman, of the Open Space Advisory Committee. I'm
4 also a resident of eastern Loudoun conventionally
5 spelled with a capital, "E," and an inhabitant, or
6 almost an inhabitant of a virtual forest. I'll
7 return to that topic in just a moment.

8 I have about 500 words I'd like to read
9 that focus, primarily, on Conservation Design. The
10 Open Space Advisory Committee, ordinarily referred to
11 as OSAC, supports and commends the County's proposed
12 Zoning Ordinance. It represents a dramatic
13 improvement over the past in terms of ensuring that
14 adequate open space would be provided in future land
15 development. It's an asset both to the County and,
16 in our view, to the development community as well.

17 The proposed Ordinance is a complex
18 document designed, from our point of view, for ease
19 of use, not necessarily ease of review. Our
20 comments, therefore, are somewhat general and
21 focused, as I said, on Conservation Design.

22 In particular, the Conservation Design
23 process is a great step forward. The environmental

1 attributes of developmental quality and are of
2 primary importance to the appearance of the
3 community.

4 No variances should be permitted unless
5 demonstratively essential, and if so, they should be
6 accompanied by land area and equal amount and of
7 equal quality to be provided as additional open space
8 within the community.

9 A number one priority of concern is for
10 providing adequate easement coverage. In reviewing
11 the proposed Ordinance, some, but not all, of land
12 credited against open space set asides would be
13 placed under easement. OSAC --

14 MS. MILLER: Mr. Connor, thank you. You've
15 reached your time.

16 SPEAKER: It's great stuff.

17 SPEAKER: Good morning, Madam Chairperson,
18 Members of the Planning Commission. My name is
19 Edward Pickering. I am a 25-year resident of Broad
20 Run Farms and am opposed to the Zoning change to R-1
21 with the creation of the Rivers and Stream Corridor
22 Overlay District, RSCOD, and the associated
23 restrictions listed in the RSCOD abstract. This

1 heritage and quality of life enhancements that appear
2 in this and other sections of the Ordinance are most
3 welcome. I'd like to give a well done for all those
4 whose work permits these improvements.

5 A fundamental change introduced by
6 Conservation Design process is the requirement that
7 the location and the extent of open space for
8 recreation and other uses will be planned from the
9 outset. No longer will open space consist solely of
10 scraps of land left over from development. To
11 observers, such as me, of dwindling open space in
12 residential areas, this is a spectacular improvement.

13 As an aside, I live in the virtual forest I
14 referred to earlier, which is the consequence of
15 allowing buffered areas to be traded off against
16 canopy that otherwise would exist in open space
17 areas. That requires a little explanation, which I
18 will attempt as we proceed.

19 OSAC urges that what counts overall is open
20 space be carefully defined and protected from
21 incursions. In principle, buffers and setbacks
22 should not be countered against any open space set
23 aside. This is important because narrow strips

1 rezoning effects properties which are owned by my
2 family and I.

3 Specifically, I am opposed to the proposed
4 50-foot management area, and the proposed 300-foot
5 buffer from the Potomac River, and the other
6 restrictions on land use that the Plan presents.

7 The Broad Run Farms Civic Association held
8 a meeting on August 14th and all concurred that the
9 current CR-1 and A-3 Zoning should be retained for
10 the Broad Run Farms community. Thank you very much
11 for your consideration of my concerns.

12 SPEAKER: Good morning, Madam Chair,
13 Members of the Planning Commission. My name is
14 Jonathan Schwartz. I am a Board Member for the
15 Loudoun Convention and Visitors Association, and
16 represented them on the Rural Focus Group, as well.
17 During the day, I'm General Manager of the Fairfield
18 Inn, on Route 606.

19 I would first like to, well, the LCVA would
20 like to applaud you for making the temporary use
21 permit for events a countywide issue. Tourism just
22 does not occur solely in rural Loudoun. Tourism is
23 so diverse in its applications and meanings. Thus,

1 between structures and roads for the purpose of
2 buffering different uses within communities may add
3 to the appearance of development, but scarcely
4 qualify as open space for recreational and aesthetic
5 purposes. In the past, it has regrettably been an
6 occasional practice to barter away these strips of
7 land used for setbacks and buffers.

8 We question the value of a buffer between
9 land uses such as adjacent single family housing
10 developments. In this case, buffers may become too
11 narrow to provide true intro-developmental buffer
12 functions. Narrow buffers or hedgerows lose two of
13 their reasons for existence; screening and wildlife
14 habitat.

15 A far better approach could be to aggregate
16 this land into usable open space areas used for
17 purposes such as neighborhood mini-parks or tree
18 islands.

19 It is satisfying to contemplate the
20 creation of true open space, or its preservation, as
21 a result of simply specifying that during the design
22 stage.

23 Buffers and setbacks are important

1 we have events that are countywide. It benefits
2 everybody in the County, either here, either further
3 west, or in my neck of the woods, in the Dulles
4 corridor.

5 Three points that I would just like to
6 make. As golf continues to grow as a business, a
7 draw for business and leisure travellers to Loudoun
8 County, I am concerned that there are no longer any
9 locations or circumstances where golf courses are
10 permitted uses. We should be attracting golf courses
11 that will operate for purposes other than selling
12 real estate. We have a few nationally ranked courses
13 now and can truly become a golf destination if we
14 clearly reexamine what it is that we desire and make
15 sure that the Zoning Ordinance supports that.

16 Secondly, recreation and eco-tourism are
17 not just rural activities, yet the Zoning Ordinance
18 does not seem to allow them in open space for
19 transition areas. It seems like there is a
20 contradiction between the definition and the uses.

21 Lastly, we are reviewing the Zoning
22 Ordinance for the ability to support hospitality
23 services in the Dulles corridor. Specifically,

1 points along Routes 50 and 606.

2 The new Air and Space Museum will be
3 opening next year in December and we would like to
4 make sure that the Zoning Ordinance encourages
5 appropriate services to accommodate the millions of
6 people who will arrive to visit the museum.

7 Hotels, restaurants, and tourism-related
8 businesses are most often classified as retail. We
9 want the right mix of services permitted to benefit
10 from the potential infusion of tourism spending
11 created by the opening of the museum. Thank you very
12 much.

13 SPEAKER: Good morning. My name is Kate
14 Zurschmeide and I represent the Loudoun Convention
15 and Visitors Association and I also own Great Country
16 Farms. So, I am a real farmer in Loudoun County.

17 I'd like to -- Jonathan addressed the
18 suburban issues and I'd like to address the rural
19 concerns about tourism.

20 Loudoun currently enjoys over 820 million
21 in annual visitor spending, which leaves behind over
22 20 million in local tax revenues for the citizens of
23 Loudoun County.

1 Lastly, I'd like to say I am a farmer. I
2 earn a hundred percent of my income on my farm, and
3 tourism is a key factor to that, and I encourage you
4 to continue supporting tourism growth and rural
5 business growth in western Loudoun. Thank you.

6 SPEAKER: Good morning, Madam Chairperson,
7 Members of the Commission, ladies and gentlemen. I
8 submit to you, with all due respect, my opinions. My
9 name is Michael Spraggs and I own a parcel of
10 property in the Route 50 corridor.

11 We bought that property in 1985, went
12 through a special exception process. Very soon
13 after, there was 300-foot strip of C-1 Commercial
14 Retail zoning along the Route 50 corridor. The
15 special exception approved the extension of C-1
16 Commercial Retail zoning.

17 Loudoun County down zoned the Route 50
18 corridor C-1 Commercial Retail zoning to CLI taking
19 the C-1 Commercial Retail from almost all small
20 parcel landowners along Route 50 and gave it to the
21 corporation. In their words, protecting your
22 investment from South Riding. Well, what about my
23 investment? Therefore, at the expense of all the

1 The Loudoun Convention and Visitors
2 Association wants to see this Zoning Ordinance
3 support the growth of the tourism industry and we
4 believe that the Ordinance does make progress to
5 support tourism.

6 We applaud the proposed Ordinance for its
7 definition of the Virginia Farm Winery and we welcome
8 the recognition and encouragement of agri-tourism and
9 the definition of farm-based events.

10 We do have a few areas of concern. First,
11 is the equity of competition between government
12 sponsored events and privately sponsored events.
13 Currently, government sponsored events do require
14 permits, where privately sponsored one's would. We
15 would like to see the performance standards and
16 permit requirements be applied equally.

17 We're puzzled about the inability for
18 adaptive reuse of rural structures for retail, such
19 as art galleries, or small shops. We want to support
20 the Towns as commercial centers, but believe that
21 connecting the dots between our Towns and saving
22 rural structures should be encouraged.

23 Also, additionally, in cluster development,

1 small parcels along Route 50 and the taxpaying
2 public, the County began pushing the sewage pumping
3 station on Braddock Road and forced the sewer across
4 Route 50 to 606 and the tri-county connector. They
5 needed the money. They raised not only my real
6 estate taxes, but everyone's. My real estate tax
7 assessment in 1990 was \$476,000, in 1991, it went to
8 \$876,000, in 1992, it went to a million five, in 1991
9 and '92, alone, I paid over \$28,000 in real estate
10 taxes. For what? And the following '92, spring of
11 1993, the corporation's sewer and water lines came
12 on. The down zoning of 1992 passed and my property
13 assessment plummeted to what we paid for the property
14 in 1985. Now, who paid for those sewer and water
15 lines we have no access to? We did. Now, when it
16 comes to service again along Route 50, between 659
17 and the Fairfax County line, another down zoning
18 takes the by right use of contract services.

19 In the year 2000, my tax assessment went up
20 80 percent, in 2001, it went up 60 percent, in 2002,
21 it went up 25 percent, and Lord only knows what's
22 going to happen this year.

23 Do we have to keep the stupid PDR Program

1 we would like to see that open space be able to be
2 used for rural business, such as a B&B, or country
3 inn, especially if there's an adaptive reuse of a
4 structure there.

5 We currently understand that special events
6 temporary use permits are truly for temporary events.
7 We have done a study of the event facilities in
8 Loudoun. Over 47 facilities indicated to us that
9 over 25 events would be required to create an
10 event-based business. So, we would like to support
11 that in temporary events ten is an appropriate number
12 per year, but would like to see the proposed 30-day
13 limit between those events be removed so that events
14 could be held during peak seasons, such as June,
15 August, September and October.

16 Finally, we believe the Ordinance has an
17 overabundance of complexity in variance in the
18 proposed performance standards, specifically, in the
19 hours of operation and paved versus unpaved roads.
20 We recommend that this be simplified and that the
21 current Noise and Lighting Ordinances be the
22 standards that are applied in these areas, especially
23 at wineries, farms and rural locations.

1 going? End this stupid program. It's money for them
2 at the expense -- at our expense and we would far be
3 better off to use that money for transportation and
4 education. They're putting into their pockets, the
5 people, that have no intentions of developing their
6 property anyhow and taking it from us. That is the
7 hooded robin.

8 In conclusion, if we, or anyone worldwide,
9 is going to control growth, ladies and gentlemen, we
10 should have to birth control the entire world. As
11 long as people get married and have children, they're
12 growing up and getting married, find jobs and a home,
13 hello, we're going to have growth. Do me a favor,
14 and yourself, get up in the morning, look at your
15 children, love them tremendously, and realize that
16 they are, and we are, part of the problem, and this
17 is not the solution. Most of the folks that scream
18 open space live in "Middleville." The rest live in
19 homes six, eight, ten feet apart. Houston taxes has
20 nothing on Loudoun County. They had Enron. We have
21 "Middleville," and Aldie and Upperville and
22 Middleburg, along with the pecker heads of the
23 Piedmont and Boy George in the White House. This is

<p style="text-align: center;">Page 86</p> <p>1 not grassroots, it's Astroturf and just as phoney. 2 Thank you. 3 SPEAKER: Good morning. My name is Tom 4 Plofchan. I'm the political trustor and I'm 5 addressing my political trustees today as public 6 servants in asking your attention on this matter. 7 We have a problem here. You haven't done 8 the work yet. When you were doing the Comprehensive 9 Plan, I addressed the fact that the Code requires, or 10 offers a suggestion of certain studies. When you 11 passed the Comprehensive Plan, you admitted that you 12 hadn't done the studies. When the Board of 13 Supervisors passed the Comprehensive Plan, four of 14 them said, "Gee, I wish we had an affordable housing 15 study. It would be nice to have a study on the tax 16 impacts of the Comprehensive Plan. Where is that 17 water study? But we don't have it, we're going to do 18 it anyway," and that's what you've got now is you're 19 implementing a Zoning Ordinance, or attempting to 20 pass on a Zoning Ordinance without the studies. 21 Lawrence Kelly can't tell you about an 22 affordable housing plan, Jane Kirchner can't, George 23 Kirschenbauer can't, because he hasn't read it</p>	<p style="text-align: center;">Page 89</p> <p>1 good, but we still love this community and we 2 wouldn't want to live anywhere else. However, we are 3 quickly becoming very disappointed in what is 4 happening in this County. 5 We own five acres on Briarfield Lane that 6 has been changed from CR-1 Commercial, to PD-GI 7 general industry, which is outrageous. We didn't buy 8 our land to someday become millionaires, but we did 9 have plans to be able to leave our children, and now 10 our grandchildren, a little something after we were 11 gone, but with this new proposed Zoning, that will be 12 impossible. 13 My understanding is, under this new 14 proposed Zoning, if we were to try to sell property, 15 it would only be worth about half of what we owe 16 right now, and yet, our taxes would stay the same. 17 We're being penalized because we chose to 18 live in a rural area. If we were living in a 19 subdivision, our property would almost triple in 20 value, but because we choose this community, we fall 21 to the bottom of the barrel and this is not fair. 22 I've been told many times during my life 23 that I'm very naive, but it's never hit home as much</p>
<p style="text-align: center;">Page 87</p> <p>1 because it hasn't been published. Wendell Hansen, 2 you haven't seen one. Kathryn Miller, Dave Whitmer, 3 John Herbert hasn't seen one. 4 What's the effect of this Plan on 5 affordable housing? Let's talk about that just in 6 one area. I have two businesses in this County and I 7 employ 18 people. I try, as an effort, to employ 8 people who are graduates of the Loudoun County Public 9 School System. You come out of high school, you 10 might not have the resources or the inclination to go 11 to college, but you want a job. So, you come and you 12 work for me. I have three such people working for me 13 now. Well, because of the affordable housing, and 14 they're paid a very good wage, they're still living 15 with Mom and Dad. They can't afford a house. I have 16 a 15-year-old. When he's 22, he better not be living 17 with me. All right. If I want him to live in 18 Loudoun County, he's going to have to live with me, 19 because there's no affordable housing. 20 When you stop, or reduce the number of 21 buildable lots, you make the resource scarcer. When 22 you make the resource scarcer, the cost goes up, the 23 ability to find a place to live gets reduced.</p>	<p style="text-align: center;">Page 90</p> <p>1 as it does now. I never thought that somebody could 2 come in and do what they want with my property that I 3 own. Somehow, this just seems to be against the law 4 in some respects. This is not only disrespectful to 5 the residents, it is degrading to think that you can 6 voluntarily lower the value of our estate and leave 7 us with worthless property. 8 This proposed change will leave us with 9 property that is not worth what we owe, which is not 10 the case when we bought it. This is something you 11 might hear of in another country like Russia or 12 China, but I never thought this would happen in the 13 United States. 14 In conclusion, I'd like to ask you how you 15 think you can preserve the green open lush mesas that 16 everyone is interested in when you're proposing to 17 turn our land over to builders that will put in 18 concrete, asphalt, processing plants, et cetera? 19 I just want to go on the record that we are 20 completely against the proposed Plan to rezone our 21 property industrial. If you have any conscience at 22 all, I urge you to rethink this. Thank you for the 23 opportunity to speak.</p>
<p style="text-align: center;">Page 88</p> <p>1 Where's the study? You have to include 2 that in what you're going to do. It's only honesty. 3 I'm not asking you to throw out all the work. I'm 4 not thanking you for the work, because I don't think 5 it's done, but John Herbert's a Ph.D, you've got to 6 have all the data before you reach a decision. 7 Affordable housing. How about the tax 8 implications? You just heard Chuck Jones talk about 9 the fact that if you reduce the number of lots, or 10 what's already happened in the west, we've reduced 11 the value. Those people come in and get reassessed 12 for taxes. That's going to lower the taxes on that 13 property and force us to spend taxes at a greater 14 level in the future. 15 Set back, do the studies, and then we can 16 have an honest debate. Right now, I'm just being 17 bamboozled. Thank you. 18 SPEAKER: Good morning. My name is Kay 19 Matney and my family and I have lived in Arcola for 20 26 years. We moved to Arcola to enjoy the rural 21 community and to provide a safe place for our 22 children, and now, our grandchildren. We've seen a 23 lot of changes over the years, and not all of them</p>	<p style="text-align: center;">Page 91</p> <p>1 SPEAKER: (Lawrence Phillips for Sara 2 Phillips) Good morning, Madam Chair and Planning 3 Commission. Sara's been tied up with Scouts all 4 week. So, I'm here to read her comments. 5 To expect an elaboration of a 500-page 6 dissertation in three minutes demonstrates precisely 7 the modus operandi of this morbid sadistic 8 undertaking we call Smart Growth. 9 I should think by now you would have had 10 time to rethink the errors of your ways in improving 11 the Comprehensive Plan, apologize to the general 12 public for any inconveniences you might have caused 13 and show at least some element of remorse. 14 Put Snow White and the Seven Political 15 Dwarfs elected to the Board and the DEC, you will 16 notice that you will not be a part of this conspiracy 17 to fix the price of real estate in Loudoun through 18 adoption of any comprehensive plan or amendments for 19 the exclusive purpose of racially economic 20 discrimination against minorities, the elderly, and 21 workers, including teachers, firemen, policemen, 22 specifically, through down zoning and open space 23 requirements.</p>

1 You have within your grasp a once in a
2 lifetime opportunity to carry out your mandate to
3 protect the health, safety and general welfare of all
4 the citizens of Loudoun, including their economic
5 welfare, of which you were appointed, by rejecting
6 this Zoning Ordinance.

7 What is happening in Loudoun County, I
8 fear, is what is happening to farmers in Loudoun --
9 or farmers in -- during the first stages of what is
10 now taking place in Zimbabwe, in Africa. I'm afraid
11 that this is the first stage. Thank you.

12 SPEAKER: Good morning. I'm James
13 Brownell. I was a Member of the Board of Supervisors
14 for 24 years and I was a dairy farmer in the Bluemont
15 area for about 30-some years. I'm now retired, thank
16 goodness, and living in Purcellville.

17 I really had to think long and hard about
18 coming here today to speak. It seems that I've
19 spoken so many times on this issue all to no apparent
20 avail. To say that's discouraging is putting it
21 mildly, to say the least.

22 Your minds are made up. You will not
23 waiver from your course of mandatory fiat of the use

1 Ordinance accordingly. Thank you.

2 SPEAKER: Good morning. My name is Mick
3 Staton. I live over at Sugarland Run. I promise to
4 be brief tonight.

5 I've heard a lot of people talk today about
6 the property rights issue in this and they can put
7 this much more eloquently than me.

8 What I want to talk about is the tax
9 impacts on people that live in east, like I do.
10 You're about to take two-thirds of this County and
11 down zone that into either A-20 or A-50. There's a
12 study that's already shown that when you do that it's
13 going to cut the value of that property in about
14 half. What that's going to do is take the tax base
15 of this County and put a nice big, fat hole in it.
16 The only way you're going to be able to make up that
17 hole is on the backs of the people who work in the
18 east.

19 Let's just run down a little bit of what's
20 been going on this County. We've got a Board that's
21 spending money like water. The budget's gone up by
22 about 75 percent in three years, and will double in
23 four years. We've got an unemployment rate that's

1 of land and the down zoning of rural Loudoun County
2 land. You will not embrace an often repeated point
3 of the voluntary incentives for landowners as a
4 method of accomplishing your conservation and lower
5 density land use goals. You fail to see the
6 inevitable consequences of your ways, that will be to
7 let the Courts decide these land use issues for our
8 County. It has happened before and it's going to
9 happen again.

10 I deplore your regulatory down zoning
11 approach. I am saddened that all interested parties
12 could not work together to positively address these
13 issues of land use. That's all I have to say.

14 SPEAKER: Good morning. I'm Ann Thomas, a
15 resident of Round Hill. My family and I own a
16 234-acre farm on Williams Gap Road, near the Blue
17 Ridge, in western Loudoun. Much of the farm has been
18 in the Thomas family for over 200 years.

19 Due to the death of my husband, for estate
20 planning reasons, I am now in the process of
21 establishing a family subdivision to ensure that our
22 grandchildren will have the opportunity to build on
23 this property. I have already spent thousands of

1 quadrupled since this Board took office, and you're
2 about to take two-thirds of this land and down zone
3 it and cut that value in half.

4 Now, from where I'm standing, that just
5 doesn't sound very smart. So, I'm asking you not to
6 do this. Think of the people who are working, who
7 are losing their jobs, who are trying to make ends
8 meet in the east, like me. Thank you.

9 SPEAKER: (Suzanne Volpe) Good morning,
10 Members of the Planning Commission. We appreciate
11 the opportunity to be here. I'll try to be brief as
12 well.

13 I live in Cascades, or some folks like to
14 call that, "A dysfunctional human settlement
15 pattern." Of course, I like living there. There's
16 about 5,000 other families who like to live there. I
17 actually believe my Planning Commissioner,
18 Ms. Kirchner, lives in the community of Cascades.

19 I'm deeply concerned at what I'm seeing in
20 the economy. You have United Airlines, WorldCom,
21 AOL, all in trouble. We have a commercial vacancy
22 rate of approximately 24 percent. It's part of our
23 tax base. It's gone bye-bye.

1 dollars on an aesthetically pleasing design for eight
2 lots, an average of almost 30 acres per lot.

3 Due to topography of the land, soil
4 conditions, and division by public road, the lots
5 would be of unequal size, the smallest more than ten
6 acres, and one as large as 40 acres. This design
7 would not conform to the proposed AR-1 Zoning
8 Ordinance, which would allow a density of not eight,
9 but 11, 20-acre lots for partial clustered
10 development. Both of these options are unsuitable
11 for our land.

12 The proposed Ordinance for AR development
13 could be likened to trying and squeeze all women, and
14 men, too, regardless of their weight and shape, into
15 the same size old-fashioned rigid corset with
16 whalebone. The fact that large particles of land are
17 different in topography and would be split by public
18 roads seems to have been overlooked or ignored.

19 I strongly favor grandfathering and vesting
20 applications that have been made for family
21 subdivisions. I urge you to allow more flexibility
22 in overall lot size for AR-1 development of large
23 parcels of land and to amend the proposed Zoning

1 Have you all checked recently? You're
2 worried about shutting down the west. I had a real
3 estate agent pull the listing of the houses in
4 Ashburn and Sterling that are currently for rent or
5 for sale. I had someone do that yesterday. There's
6 over 300 houses.

7 So, I don't know about the growth and
8 booming and all the fear that everybody's been
9 talking about. I think the economy has shown us it's
10 cyclical and the wonderful prosperity that we enjoyed
11 a few years ago, we're now in a different part of the
12 cycle.

13 Growth is not the issue. People were
14 preparing for this, including yourselves and the
15 Board of Supervisors, like the economic boom that we
16 had felt, say, in the last couple of years was just
17 going to continue forever without any blips or
18 anything.

19 Before you forward this Plan to the Board
20 of Supervisors, someone needs to do a fiscal impact
21 analysis. Look at the Plan as it was originally done
22 by Ben Mayes (phonetic spelling). I asked him, I
23 said, "You have put on here 4,000 units each year for

<p style="text-align: center;">Page 98</p> <p>1 the next 20 years." You know, the economy is 2 cyclical. I said, "Didn't you even think of putting 3 one year at a lower level?" 4 We already know what we're seeing now. 5 That's not a true representation of what was going to 6 happen. We have senior citizens who are going to be 7 forced out of their homes, you know, people who want 8 to be here and watch their grandchildren be raised. 9 Is that too much to ask? I mean, how many folks here 10 are afraid they will not be able to live in their 11 house when they retire. Show of hands. I'm not the 12 only one. It's already happening. I sit on the 13 Commission on Aging. You should talk to your fellow 14 members of the Commission on Aging. They're hearing 15 it a lot. You've got people who were born and raised 16 in this County, grew up, went to school here, lived 17 five minutes from where they were born, and they're 18 going to be forced out of their homes. It's already 19 happening and this Plan hasn't even gone through yet. 20 There's a lot of things I could talk about, Lighting 21 Ordinances, all that good stuff, and you know, I'll 22 leave you with one fact: If you-all approve this 23 Lighting Ordinance, I'm going to jail, because you're</p>	<p style="text-align: center;">Page 101</p> <p>1 I want my children to be able to live on 2 our farm as I do. For that reason, we are in the 3 process of creating a family subdivision. We have 4 invested thousands of dollars on surveys, septic 5 field planning, and legal fees. Our subdivision 6 plans create large lots that logically follow the 7 topography of the land. We are planning a total of 8 eight lots on 234 acres. In theory, under the new 9 Plan, we could have up to 11. 10 We are also making boundary line 11 adjustments that will make some existing lots larger 12 and more conforming to the current Zoning 13 regulations, although these existing lots would still 14 be less than 20 acres. However, if we are forced now 15 to meet the new Zoning regulations, I'm sure the 16 additional cost will be significant. 17 While our lots are very large, according to 18 the proposed Zoning Plan, they will fall under some 19 of the new overlay districts, and I feel sure that 20 that will require more cost to meet other 21 restrictions and requirements. Remember, these are 22 large lots. We already have significant costs in 23 this design, and it's been difficult, if not</p>
<p style="text-align: center;">Page 99</p> <p>1 not going to deny me my right, my property right, to 2 come home to the safety of a light in front of my 3 house to enter my house in safety. Thank you. 4 SPEAKER: Good morning, Madam Chairperson, 5 ladies and gentlemen of the Planning Commission. My 6 name is Andrew Cornelius and I've lived in Loudoun 7 County for over 60 years. With the change of Dulles 8 moving in, things have changed. 9 I was under the impression when I went to 10 school that the elected officials elected by the 11 public were to do the will of the public and not just 12 serve special interests or their own self-serving 13 agendas. In that respect, I have more respect for 14 Jesse James, because he robbed you with a gun in your 15 back. 16 I've seen a lot of changes in this County 17 in the 60 years I've lived here. This is the first 18 time I chose to be involved. The past governments of 19 this County, the best way I can explain it, they put 20 me in a mind and I can only express it in farming 21 terms, that once the pigs leave the slop for the slop 22 truck, we, as taxpayers, put new slop in, as long as 23 we do so, it will not back up. I urge you, all the</p>	<p style="text-align: center;">Page 102</p> <p>1 impossible, to design lots to meet future 2 requirements that have not been finalized or 3 approved. 4 If you decide to change the current Zoning 5 regulations, please be considerate of those who have 6 already invested money into design work that does 7 conform to the current regulations. I ask you to 8 vest any applications that are in progress prior to 9 the approval date of the new Zoning regulation and 10 allow them to be approved under the 1993 Zoning 11 Ordinance. Thank you. 12 SPEAKER: Good morning. My name is Mary 13 St. Clair and I'm here on behalf of my husband, five 14 children, and grandchildren. Our farm has been in 15 the family since the mid '50's when my in-laws 16 purchased it, and today, our grandchildren are the 17 fourth generation to enjoy Rolling Tara Farm 18 (phonetic spelling). The two parcels that make up 19 the farm have been down zoned to PD-GI from the 20 current R-1 and A-3. 21 The supreme irony is that the front parcel 22 on Route 50 where the barns, ostriches, other 23 livestock, water, and machinery are located suddenly</p>
<p style="text-align: center;">Page 100</p> <p>1 taxpayers and voters, remember this when it comes 2 time for re-election. Thank you. 3 SPEAKER: My name is Elizabeth Thomas 4 Wallace. I grew up in Loudoun County and my family's 5 roots here date back to the 1700's. Because we love 6 Loudoun and have wanted to preserve its rural 7 character, we have continued to farm our land as our 8 neighbors have subdivided. My family owns farm land 9 on the Williams Gap Road, near Round Hill, and this 10 land is currently zoned A-3, but will be AR-1 in the 11 new Plan. 12 I would like to make two points. Number 13 one, I do not agree with the proposed Zoning as 14 written, and I feel it's particularly unfair to those 15 of us who have owned and farmed land for many years. 16 Our tax appraisal went up over 60 percent last year 17 at the same time as the land was being devalued by 18 the new Comprehensive Plan. 19 Number two, if this proposed Zoning does go 20 forward, as it appears it will, I feel strongly that 21 those applications that have been filed with the 22 County should be vested under the current 1993 Zoning 23 Ordinance.</p>	<p style="text-align: center;">Page 103</p> <p>1 became suitable for light industrial use. How is 2 this possible? What happened to your support of the 3 rural economy? 4 The reality is it will never be approved 5 for any industrial use. Herein lies another 6 question: Since it is currently in land use, does it 7 mean that it would no longer qualify? A direct quote 8 from Melinda Artman, when asked how those of us in 9 land use would be affected, states through her 10 e-mail, "I have," and this is a quote, "I have just 11 had an e-mail from Bob Willingham that I will forward 12 to you. In essence, it states that a change in 13 zoning initiated by the Board of Supervisors will not 14 affect your status in the Land Use Assessment Program 15 provided you meet all the other requirements of the 16 Code. I have not read the Code, and as I say, I will 17 forward the e-mail to you so you can see for 18 yourself. I need to be clear that I am not the 19 administrator of this Code and you shouldn't rely on 20 what I have to say. Mr. Willingham does provide a 21 Code citation and I would encourage you to contact 22 your attorney for a verification of his 23 interpretation of the Code of Virginia." The catch</p>

<p style="text-align: center;">Page 104</p> <p>1 phrase being, "meet the requirements of the Code," 2 which still is not a direct yes or no answer. 3 Every time I attend a meeting or reference 4 the activities of the Board and its Planning 5 Commission, I am amazed, amazed at the brilliant, but 6 oh so subtle scheme to force us off our land and keep 7 us out of Loudoun, the people whom you deem 8 unsuitable to live here. It's okay for them to 9 educate children, protect our homes, property and 10 roads, and provide services essential to life in our 11 County, however, they better to plan to get out by 12 the end of the work day, because to those who are 13 running the County, they're not welcome. 14 Smart Growth is a simple but clever term 15 for an extremely complicated and deceiving use of 16 Zoning and environmental regulations to achieve the 17 goal of controlling by a few the social and economic 18 lives of the majority. I pray that when these issues 19 are addressed in court, the judges who hear them will 20 be fair. 21 Lastly, you, the Planning Commission and 22 Board, had the opportunity to begin a respectful 23 dialog and study of the direction Loudoun County</p>	<p style="text-align: center;">Page 107</p> <p>1 not to provide generous grandfathering. The current 2 cascade of applications demonstrates that the 3 Ordinance will be a dead letter if any other course 4 is followed. 5 I wasn't going to get into this next 6 subject, but I've heard a lot of constitutional law 7 arguments being made this morning, and I confess that 8 I'm guilty of being a lawyer. I've had the privilege 9 of arguing and presenting cases before the Supreme 10 Court of the United States, and I have read the 11 Constitution that's being passed out in the hallway, 12 and I think we need to understand that the property 13 rights of one person need to be balanced against the 14 property rights of other people. Property rights are 15 relative. We all have property rights that need to 16 be resolved under our Constitution. For that reason, 17 laws and governments are established by the will of 18 the people to assist in balancing those property 19 rights. You're part of that system. You're doing 20 your job. Stay with it. Thank you. 21 SPEAKER: Good morning, Madam Chair and 22 distinguished Commissioners. My name is Stephanie 23 Smith and I'm a four-year resident of Loudoun County.</p>
<p style="text-align: center;">Page 105</p> <p>1 would take in the future, one that might have 2 respectfully studied the issues of growth and 3 environment, and one that would be good for all 4 citizens, one with a win-win goal for all of us. 5 Instead, your agenda was set long before you were 6 voted into office. You have pretty much destroyed 7 every issue brought before you and done little to 8 enhance the true quality of life here in Loudoun. 9 Taxpayers will be paying for the folly of this 10 administration for years to come. Seven new Board 11 Members are the only solution. 12 SPEAKER: Good morning, Madam Chairman, 13 Members of the Commission. My name is Jim Rill. My 14 wife, Betsy Laws Rill, and I own property on Sunny 15 Ridge Road, with an 18th century house. It's been in 16 my wife's family since 1939. We pay taxes. With 20 17 acres, we're fully subject to the Ordinance, we're 18 fully subject to the Mountainside Overlay, we're 19 fully subject to the River and Stream Overlay. The 20 Ordinance and the overlays would put extreme limits 21 on the use of our property. Nevertheless, we support 22 this Ordinance and urge its prompt implementation. 23 We want to compliment the Board of Supervisors and</p>	<p style="text-align: center;">Page 108</p> <p>1 While I believe that the goal of preserving the 2 beauty of the western part of Loudoun County is 3 admirable, and I believe that your efforts to slow 4 growth are manifest in your belief that costs, and 5 therefore, taxes paid by the citizenry will skyrocket 6 if we are faced with unrestrained growth, I'm, 7 frankly, much more concerned that for all actions of 8 government to force its will, or even the will of a 9 perceived majority, on the governed, there comes a 10 price. That price is why I'm here before you today. 11 Firstly, I feel compelled today that I'm 12 not a holder of significant land. In fact, my 13 mortgage company and I co-own a town home situated on 14 no more than one-eighth of an acre in the planned 15 residential community of South Riding, but I want you 16 also to know that I covet the rural life enjoyed by 17 my neighbors to the west, even if I will likely never 18 be able to afford it myself. 19 Secondly, I wish for you to know that I'm 20 not a member of CPR. I don't tend to affiliate with 21 political organizations, but I am an unashamed 22 proponent of individual liberty. I feel that a 23 compelling presentation can be made that might better</p>
<p style="text-align: center;">Page 106</p> <p>1 the Planning Commission for their courage against the 2 extreme, and often inappropriate pressures, that are 3 placed on it. 4 Without expeditious implementation of the 5 Ordinance, it will be substantially ineffective. We 6 have seen a recent torrent of new applications 7 presenting the most extreme density issues, squeezing 8 houses onto three-acre lots to just get in under the 9 wire. 10 One stage of a development that's currently 11 been filed in our area, presents over 60 lots, just 12 over 60 lots, over 40 of which present houses on less 13 than three-and-five-one-hundredths acres. This 14 raises to new heights the concerns underlying the 15 Ordinance and the overlays threatening our water 16 resources, our environmental resources, intensifying 17 concern with traffic, and imposing new threat and 18 burdens on services such as schools, fire, security 19 forces. 20 Therefore, we urge you not to vest the 21 plats not fully recorded, and I think in some 22 circumstances, perhaps giving some flexibility to the 23 presentation recently by Mrs. Wallace, we urge you</p>	<p style="text-align: center;">Page 109</p> <p>1 engage the many folks, including my neighbors in 2 planned communities, who find the entire subject too 3 confusing and can sit by complacent to the changes 4 proposed by this body, residents who have mistakenly 5 seen this as simply a battle between different 6 factions of wealthy landholders to the west, but who, 7 themselves, will likely play dearly for that 8 complacency when they wake up to the price that will 9 be disproportionately theirs to pay. 10 I don't want to consume the rest of my 11 three minutes to discuss what I believe are the 12 flawed economics of this Plan. Instead, I want to 13 speak to the more personally offensive violation of 14 the property rights of a small group of residents in 15 this County who pay the dearest price for this 16 collectivist way of thinking. I believe that the 17 involuntary down zoning of the property held for 18 generations by families who have called Loudoun 19 County home is tantamount to theft. Clearly, the 20 value of the land held by these folks and taxed for 21 generations under the existing Zoning will be 22 significantly lessened, as will the usage options 23 previously available to them. I suggest to you that</p>

<p style="text-align: center;">Page 110</p> <p>1 because of the number of persons affected by this 2 proposed government sanctioned theft is small it has 3 been easier to victimize these folks. The common man 4 has incorrectly been made to believe that the 5 affected persons are very wealthy, or subsidized by 6 the developers. Those who would hide behind the 7 belief that this proposed Comprehensive Plan 8 exemplifies democracy at work, those who may or may 9 not be correct about what the majority wants, suffer 10 from a fundamental disconnect. If what the mob 11 demands violates the personal rights of even one 12 person, the will of the group matters not. The best 13 of intentions cannot compensate for the fundamental 14 property rights of even one person. The heavy handed 15 force proposed by this Plan is frightening. In the 16 words of Clarence Darrow, "You can only protect your 17 liberties in this world by protecting the other man's 18 freedom. You can only be free if I am free." You 19 aren't taking property rights from me through this 20 proposal, but this action is no less offensive to me 21 that those from who you would take. There are other 22 ways to shape growth than down zoning. 23 Finally, if the Plan is implemented, surely</p>	<p style="text-align: center;">Page 113</p> <p>1 document. One of their answers I heard was, "Hire a 2 lawyer and go before the BZA." Is this the intent of 3 the Planning Commission? 4 All through most of the document, one thing 5 I have observed is that maybe the Zoning 6 Administrator is being given far too much power to 7 make these decisions. Since there is not enough time 8 to review and understand all of the aspects of this 9 document, I urge this Commission to please keep the 10 public record open so that after these hearings are 11 closed there can still be public comment submitted. 12 Thank you. 13 SPEAKER: Good morning. My name is Theresa 14 Hartzog and I live Hidden Wood Lane (phonetic 15 spelling), in Aldie, and I am opposed to the change 16 in Zoning in the Arcola area from CR-1 to industrial. 17 My husband and I purchased our first home 18 soon after our marriage in 1989. We found a 19 one-story rambler on an acre-and-a-half a 20 quarter-mile west of Arcola. It was perfect for us. 21 We were close to the elementary school, the community 22 center, and our church. Over the past 13 years, my 23 family has thrived there. We are active members of</p>
<p style="text-align: center;">Page 111</p> <p>1 the violated landholders will seek justice through 2 the courts of the land. Recent key moves by judicial 3 bodies suggest a resurgence in protection of the 4 property rights of the individual. I implore you to 5 consider the millions of dollars of taxpayer money 6 that would be much better spent on the ever 7 burgeoning debt load of Loudoun County, or 8 transportation efforts that the citizenry has begged 9 for, or public safety concerns, or even the schools, 10 spent on a losing legal battle. I appreciate the 11 opportunity to address you this morning. 12 SPEAKER: Good morning. My name is Roma 13 Dawson. I live on Gum Spring Road, south of Route 14 50, in the new Dulles district. For years, they have 15 called us the armpit of the County. My husband and I 16 attended most of the meetings back in 1993 when the 17 Dulles South plan was fully passed. We decided this 18 was a good thing. Finally, there was a plan for us. 19 One thing seems to be consistent about our 20 area and that is that there is no consistency for 21 what the future holds for us. One year we have 22 public water and sewer and the next year -- and can 23 develop like a suburban area, the next year, we have</p>	<p style="text-align: center;">Page 114</p> <p>1 our community, in the PTA, and the community center. 2 Recognizing the changes Loudoun County has 3 been going through, we attended, along with our 4 neighbors, the community input meetings held by the 5 Board of Supervisors in South Riding last year. We 6 expressed our concern for the Village of Arcola and 7 the need to keep our community and the services the 8 County currently provides intact. 9 I had been following the debate on the down 10 zoning, but was shocked to receive a letter that my 11 property was being zoned industrial. My first 12 reaction was a fear that an industrial plant was 13 being built on a 19-acre lot across from my home, but 14 upon further research, the following came to light: 15 With an industrial zoning, who would purchase my 16 home? If someone was interested, potential buyers 17 would not be able obtain a traditional mortgage, my 18 home would become a legal nonconforming use, I would 19 be unable to obtain a permit to improve my home by 20 adding an addition or a deck. I don't know what my 21 tax assessments would be like. Apparently, no one in 22 the County Office has been able to answer any of my 23 questions.</p>
<p style="text-align: center;">Page 112</p> <p>1 nothing. Now, we're in the transition area, the 2 Lower Bull Run. I'm not sure what we're 3 transitioning from. 4 I attended several of the focus groups held 5 in the spring, and in particular, the Conservation 6 Design Group interested me. The drawings were just 7 beautiful. If the world was perfect, it would be 8 wonderful. 9 One question asked was: Who will maintain 10 all this open space? A homeowners association was 11 suggested. The consultant nor the Staff had no 12 answer. Only that most homeowners associations don't 13 always work. Now, I see on this 500-page document 14 that either the County would maintain it or it would 15 be given to a conservation group, such as maybe the 16 DEC or the Sierra Club. More land off of the County 17 tax rolls and out of the hands of private landowners. 18 Would the private landowner be paid for this land? 19 I urge this Planning Commission to slow 20 this process and think through some of these 21 problems. The County employees out front are doing 22 the best they can do, but one week, certainly, is not 23 enough time to digest this complicated 500-page</p>	<p style="text-align: center;">Page 115</p> <p>1 The new General Plan is meant to scale back 2 future development and better protect the County's 3 environmental and historic features. The area around 4 my home consists of lots of one-and-a-half to ten 5 acres that cannot be subdivided under current zoning 6 laws. Our home is also surrounded by three working 7 farms. I fail to see how changing the zoning to 8 industrial will control growth or maintain the rural 9 agricultural landscape of the County. It's obvious 10 that the impact to the residents of Arcola and the 11 surrounding area has not been considered. I see no 12 one knocking on my door to buy my acre-and-a-half for 13 some industrial use to make me a millionaire. 14 (crying) Most of my neighbors are retired. The 15 planned zoning changes will obliterate this Village 16 and our surrounding areas. 17 I urge the Planning Commission to keep the 18 zoning in the area west of 659 and 621 and east of 19 the new transitional zoned CR-1, residential. My 20 husband and I have invested everything in our home. 21 Changing the zoning to industrial will wipe out the 22 value of our home and will destroy our quality of 23 life. One swoop of your pen can wipe out our home</p>

<p style="text-align: center;">Page 116</p> <p>1 faster than the drop of the stock market that 2 devastated our 401(k). I thank you for your time. 3 SPEAKER: Thank you for this opportunity to 4 speak to you this morning. My name is Robert Franz. 5 I'm a resident of Loudoun County for 34 years. I 6 currently live in Broad Run Farms and I own property 7 in Potomac Farms that this rezoning has an affect on. 8 I'm also the Registered Business Agent for the Broad 9 Run Farms Civic Association. We represent about 300 10 single-family residences. We have a community that's 11 about 600 plus acres and we're served by public sewer 12 and not by public water, which is one of the 13 requirements in R-1 zoning that you're proposing. 14 The community of Broad Run Farms is against 15 the proposed rezoning of the properties that are 16 currently zoned CR-1 and A-3 to the R-1 designation. 17 We are also against the River and Stream Corridor 18 Overlay District because we are surrounded on two 19 sides by water, the Potomac River on the north, and 20 Broad Run Creek on the west. We have approximately 21 100 home-based businesses that could be affected by 22 this rezoning. 23 Future owners of property in Broad Run</p>	<p style="text-align: center;">Page 119</p> <p>1 to push a lot of people out of that community. 2 We have no HOA in there, and that's one of 3 the drawing points of our community, because we have 4 so many home-based businesses, we would like to 5 retain the rights to have that home-based business 6 there. We would ask that, you know, if this Zoning 7 Ordinance would go into effect that we would be able 8 to be grandfathered, both for our stabling operations 9 and also for our home businesses that we have in the 10 community. 11 The River and Creek overlay zoning, looking 12 at that, I mean, you've put so many restrictions on 13 what can be done in that area because of the Potomac 14 River, Broad Run Creek, and the streams and stuff 15 that run through Broad Run Farms, I think it's too 16 restrictive and we would prefer not to be part of 17 that overlay district. I thank you for your time. 18 SPEAKER: Good morning, Mr. Vice Chairman, 19 Members of the Committee. I am Andrew Bass. I'm the 20 owner of three, one-acre lots zoned, currently, rural 21 commercial, in Minersville (phonetic spelling), in 22 eastern Loudoun County, fronting on Route 15. 23 With the proposed change, these lots become</p>
<p style="text-align: center;">Page 117</p> <p>1 Farms would be restricted from certain businesses 2 that are currently being operated in the community 3 right now. We have two dog kennels, we have an 4 equestrian facility, we have 14 stable operations for 5 horses. Properties that are currently not utilizing 6 their property for these types of operations would be 7 prohibited from starting these types of businesses in 8 the future. The community needs to retain it's 9 current CR-1 and A-3 Zoning and to preserve our 10 ability to utilize our property as originally 11 intended and to allow future property owners to have 12 these same rights. 13 Currently, the property next to my lot, 14 there's an eight-acre lot there, if that -- after the 15 current zoning would go into effect, that owner would 16 not be permitted to have horses there, and I think 17 that's wrong. 18 The River and Stream Corridor study, or 19 overlay, severely impacts the property owners 20 utilizing their property as it is currently 21 rezoned -- or currently zoned. The property owned in 22 Potomac Farms is currently A-3, and it looks from the 23 maps and stuff, that it's going to remain A-3, yet</p>	<p style="text-align: center;">Page 120</p> <p>1 AR-1 and totally lose any value and any use since no 2 homes can be built on them. Staff, in their design 3 of this Plan, has not considered real land use and 4 what should be done with individual pieces of 5 property. They have removed my ability to retire and 6 use these parcels of land for what they were 7 purchased for. 8 I request that you and the other Members of 9 the Board review what has been done and not accept 10 this proposed Plan. Thank you. 11 SPEAKER: (Mike Lunsford) Good morning, or 12 almost afternoon, I think. My problem is that where 13 I -- I live just north of Leesburg and we bought a 14 lot, my wife and I did, about ten years ago, 12 years 15 ago, about 12 acres, and the whole point was that it 16 had -- it was zoned A-3 and we hoped to have a lot 17 for our children. It's hard enough for young people 18 to afford to live in Loudoun County. So, we were 19 hoping to give them a little hand in that that they 20 could stay in Loudoun County when they get to be 21 adults, and generally, by giving them, or providing 22 them with a building lot. Of course, we go to the 23 20-acre zoning under the new Plan, and now, I have</p>
<p style="text-align: center;">Page 118</p> <p>1 Broad Run Farms that's a half a mile south, or east 2 of there, you're changing all that to R-1. 3 We would like you to -- the Civic 4 Association would ask the Planning Commission to 5 reconsider our development to retain our CR-1 and A-3 6 designation because of the nature of our community. 7 We've been -- we're one of the first three 8 subdivisions in Loudoun County that was formed back 9 in the late '50s, early '60s, and we would like to 10 enjoy some of the same things that western Loudoun 11 has. We've got our horses, and stuff, a lot of open 12 space in there. 13 One of the things that we're concerned 14 about is taxes. When you change our designation from 15 A-3 to R-1, what is that going to do to our taxes? 16 My taxes in the last two years have gone up 60 17 percent. Are you going to say now that you've got 18 eight buildable lots on your eight-acre tract you're 19 going to take my taxes and take eight times that for 20 a residential lot? Some of the lots in there sold 21 for \$170,000. I cannot afford to pay \$170,000 for 22 lots that, you know, additional acreage on my 23 property where I have horses and stuff. You're going</p>	<p style="text-align: center;">Page 121</p> <p>1 one lot. 2 As I read the new Plan, I don't see 3 anything referencing a family subdivision anymore, 4 which the old Plan did have. So, I think that isn't 5 appropriate. 6 On the bigger scale, I've listened today 7 and learned a lot. I'm not really into the politics 8 of the County, but the guy you're penalizing here is 9 not the guy at fault for the growth in Loudoun 10 County. A lot of the folks I've heard speak today 11 are in the same boat. They didn't cause the growth. 12 They have just lived here, paid their taxes, been 13 good citizens, and the growth was caused by the 14 parties. Not you personally, but this Board, the 15 Board of Supervisors, they're the one's that approved 16 the growth and now are penalizing the poor guy that 17 just lived here his whole life. 18 So, I'd like you to reconsider, give -- 19 instead of using the shotgun effect for rezoning, 20 take a fine artist's pencil and truly do Smart 21 Growth. Thank you. 22 SPEAKER: Good morning, ladies and 23 gentlemen. My name is Thomas Delashmutt. I</p>

1 represent Oak Hill Farm, near Aldie, Virginia. The
2 farm is bordered by Route 50 to the south at Gilberts
3 Corner, running three miles north along Route 50 into
4 Taylorridge Road, which completes the boundary for the
5 greater part of the farm.

6 I have a general comment on a specific
7 issue to the proposed zoning change. In general, I
8 believe that the zoning change is driven by political
9 issues and does not encourage or allow the Planning
10 Commission to anticipate the western expansion from
11 Washington and the natural growth of our population.

12 Specifically, two parcels of land which are
13 a portion of Oak Hill Farm have had 11 acres of
14 commercial land at the northwest and southwest
15 corners of Gilberts Corner. I have paid real estate
16 taxes based on Commercial zoning for that portion of
17 the ground for 40 years. There has been no
18 commercial activity for many years, however, there
19 was historic commercial use of that northwest corner.

20 The Zoning Ordinance revision proposes to
21 rezone the entirety of both parcels to AR-2. The
22 northeast and southeast parcels are similar to mine
23 in every way, however, they are proposed Commercial.

1 have your hands full, but we are here today and here
2 and now. There is future planning and there is
3 day-to-day operations. It's very comfortable to plan
4 for the future. It's very difficult, and of course,
5 there are consequences in the Plan, these are coming
6 back to be in your face today, but day-to-day
7 operations are very difficult. You don't get to go
8 home on time every day if you're faced with
9 day-to-day operations. We all know this from
10 business. We don't see the proper day-to-day
11 operations in the County being focused in the east.
12 Infield, infield does as much to set the character of
13 an area as does long range planning.

14 We know you and the County Staff have your
15 hands full, but I must urge the Planning Commission
16 and Staff to put in the same effort in the day-to-day
17 planning and policing needed to ensure that plans
18 become success in practice. Infield management must
19 be far better than it is today. Much of infield, and
20 I don't know how close you are to it, but much of
21 infield today appears to me in the east to be
22 five-year old practices actually hitting the ground.
23 That is not good and it's destroying everyday what we

1 The commercial viability of the eastern and western
2 corners is real and alike. The usage of the four
3 corners is currently alike. The apparent line of
4 demarcation of rural treatment is well to the east of
5 all four parcels. The difference in proposed zoning
6 of the four parcels seem based on no physical
7 circumstances. I suggest that the proposed zoning
8 changes are capricious and arbitrary and neither fair
9 nor legal.

10 I'd like the Planning Commission to support
11 the restoration of the Rural Commercial zoning on the
12 two western parcels of Gilberts Corner. Thank you
13 very much.

14 SPEAKER: It's been a long day and it's
15 still the morning. I'm Gene Gaines. I'm from the
16 Westerly Homeowners Association, in Sterling, north
17 of Route 7, one mile from the Fairfax County line,
18 and that gives us quite a different perspective on
19 the issues that are facing you today.

20 I speak today to thank you and to support
21 your work and the general direction of your planning.
22 It appears to me that your work is difficult because
23 of failure to plan with vision in the past.

1 have in the east.

2 You have challenging work and I applaud you
3 for what you're doing, I applaud the planning, I
4 applaud the Comprehensive Plan, and I know how many
5 details you will have in setting that plan with a
6 fine brush instead of the broad brush. That's always
7 part of setting a plan in motion, but I think you
8 have two things to balance; whether you like it or
9 not, you must deal with the east today to ensure that
10 that is being properly done while you set the
11 inadequate and unfairness issues which will never be
12 brought into the long range plan. Thank you so much
13 for your work. It's excellent work. Thank you.

14 SPEAKER: Good morning. My name is Kate
15 Snyder. I want to thank you for giving us the
16 opportunity to talk with you today. I'm here to
17 express a request for consideration for my home, my
18 neighbors and my community to be allowed to continue
19 to enjoy this County as my home, a home that's
20 important to me as any home in any planned
21 development.

22 The request that we consider is that we not
23 be zoned PD-GI, but are allowed to remain in

1 I strongly support the new Comprehensive
2 Plan and the zoning revisions necessary to put it
3 into practice, but I have a very important point to
4 make. This kind of change is critical, and in fact,
5 necessary for the County to not be destroyed by
6 growth, but there will inevitably be problems, and
7 how many problems have we seen from the audience
8 today; people are concerned, people are afraid,
9 people feel that they're being harmed. That is a
10 natural consequence of planning and changing in a
11 business, in a government, in a committee, in a
12 family. You introduce problems and then your work
13 becomes working those out equitably and fairly. The
14 alternative to do nothing in what's facing you today
15 would do harm to all. So, go forward. Problems are
16 surfacing as they will in any planning change. We
17 look to the County Staff to deal with these problems
18 fairly and properly.

19 I have another problem. Where is Sterling,
20 my area in the east, in your plans? In the context
21 of the Comprehensive Plan and the new Zoning
22 Ordinance, where is the Sterling community in the
23 Plan? This has been raised in the past. I know you

1 residential. I live on Haydonwood Lane (phonetic
2 spelling) and that's within the Arcola community.
3 The lane is home to a community of families who send
4 food with sickness and flowers with congratulations
5 and visits for no reason whatsoever. We all purchase
6 there, made improvements, planted gardens and flowers
7 and grew our families. We are an eclectic bunch.
8 Some are retired, some have elementary school
9 children, and some are just beginning on our
10 families. That's what makes a community, one that's
11 joined by more than 50 other families and a Civil War
12 historic church along Route 621 to form the community
13 of Arcola.

14 We bought here enjoying the Arcola and
15 Aldie community and Loudoun County life, in general.
16 It didn't occur to us that we would be less valued
17 than our County brethren in planned developments,
18 like South Riding, or Ashburn Farms. That contention
19 lasted until we found out about the new zoning and
20 got our letter in the mail that you've heard others
21 speak about.

22 By making the area between Routes 659 and
23 621, this community, PD-GI, you have condemned us,

<p style="text-align: center;">Page 128</p> <p>1 essentially. We will not be able to make home 2 improvements, no decks, no pools, no additions. When 3 we go to sell our house, we'll be compared to 4 industrial markets. For people to obtain a loan or a 5 mortgage for people to buy those homes, they'll have 6 to obtain, possibly, an industrial loan. What about 7 homeowners insurance? We won't really be homeowners, 8 we'll be industrial use owners and legal 9 nonconforming uses. 10 Even if we could sell to an industrial 11 market, we only have one-and-a-half-acre lots. So, 12 we would all have to get together and then sell as a 13 group and then the community of Arcola would be 14 destroyed. I don't think that that is your goal. 15 I'm hoping that by hearing us out today that we can 16 change that. We understand that rationale to limit 17 the amount of growth, particularly in the high Dulles 18 area noise traffic. Well, you can achieve that right 19 now without changing it. We are not able to 20 subdivide our lots right now because of their size 21 and because we're also not on a state maintained 22 road. 23 In addition, if you leave the zoning</p>	<p style="text-align: center;">Page 131</p> <p>1 excellent job, and the Planning Department has done 2 an excellent job, and I commend you all on that. 3 Thank you very much. 4 SPEAKER: I guess it's still good morning. 5 My name is Michelle Satterfield and I live in western 6 Loudoun. 7 First, I personally I want to say I support 8 smart growth that will not deplete our water sources, 9 harm the environment, and put additional burdens on 10 other County resources. 11 Now, an issue in our neighborhood, I'd like 12 to read a letter that's been signed by my neighbors, 13 and it goes as follows: "During this public review, 14 we want to bring to your attention our ongoing 15 concerns of the by right special events for bed and 16 breakfast home state as written in Section 5-600, and 17 the temporary uses and zoning permits in Section 18 5-500(c). 19 We have been writing letters, sending 20 e-mails, and speaking before the Board of 21 Supervisors, and the previous Board and Planning 22 Commissioners, since 1999 regarding some of the 23 volume issues.</p>
<p style="text-align: center;">Page 129</p> <p>1 residential, we do have two very lush sprawling horse 2 farms that surround us. So, you would also be 3 furthering the agricultural areas as well. 4 I'm not here to talk to any particular 5 political agenda. I'm here for a community of 6 families that deserve the same attention as any other 7 group. We may be a few citizens, but our community 8 is important to us. Please think about this when you 9 think about the Plan. To those who choose to support 10 the Plan, do you know what industrial use looks like? 11 There was green area, there was open space. This is 12 the new Plan, this is what the industrial areas look 13 like. I can't believe that I'm actually here and I'm 14 begging you for the right to live in my house and 15 enjoy the same considerations as other developments 16 have, but I am, and I'll continue to do so. Thank 17 you for your time. 18 SPEAKER: Good morning. My name is V. 19 Railan. I moved here from India in 1970, lived in 20 DC, and then we came, because of the congestion, 21 moved to Fairfax County, then because of congestion, 22 moved to our County in 1984. On Lakeland (phonetic 23 spelling) where we live, there used to be Meadows</p>	<p style="text-align: center;">Page 132</p> <p>1 Our circumstance may be unusual in the 2 County. A three-bedroom bed and breakfast home state 3 is situated in the middle of our residential area 4 sharing property lines with seven homes and numerous 5 other homes in close proximity. This is a business 6 operating in a residence and is not a farm and is of 7 no other agricultural concern. While the home state 8 is not a problem, the large special events, such as 9 weddings, receptions, and parties, have been. 10 The revised draft still allows ten events 11 to be permitted each year. These large events impact 12 most of us, whether we hear the amplified music, or 13 deal with additional non resident traffic. Alcohol 14 can be served at these functions and the idea of a 15 wedding guest who has one too many driving on our 16 lanes is of great concern. When any one of us can 17 hear the bride and groom and all family members 18 introduced over a PA system, hear glasses clinking to 19 a toast, or hear the clatter of plates being cleared, 20 there is clearly a problem. While engaging in normal 21 outdoor activities, some neighbors have felt 22 uncomfortable receiving glares from wedding guests. 23 No one neighbor should be allowed by the County to</p>
<p style="text-align: center;">Page 130</p> <p>1 Farm, there use to be a Hechinger, Jamesway, and next 2 our house, from Route 7, there was an empty lot. 3 Meadows Farm moved out, KJ Chevrolet came in, the 4 empty lot became a shopping center. From that 5 shopping center, Hechinger came in. There's a road 6 after that and then there's an office building right 7 next to our house which used to be 101 Lakeland Drive 8 (phonetic spelling), just not anymore. It's an 9 office building. You can see from the windows of the 10 office building the kitchen of my house. You can 11 practically see what we are cooking. There's no 12 privacy at all. There's no road with this office 13 building and our house. So, we feel we have lost a 14 lot of privacy. We are right next to the office 15 building. The gentleman who developed it did an 16 excellent, the Iranian gentleman, did an excellent 17 job, very nice building, but there is just no 18 privacy. You can see everything in our house and our 19 lot. So, I would like to request the Planning 20 Department to look into some ways of tapering the 21 growth so that all the R-1 residences would have some 22 buffer zone, or something like that. In general, I 23 have seen Loudoun County grow and you guys have done</p>	<p style="text-align: center;">Page 133</p> <p>1 make a profit at the expense of their neighbors. 2 These events adversely affect the peace and 3 quiet and enjoyment of our adjacent properties and 4 can have a significant public health and safety 5 impact and should never be permitted in our 6 neighborhood. A business was started in the midst of 7 an existing neighborhood. Such a location is 8 unsuitable for holding special events. The Zoning 9 Ordinance should be adjusted to help in such 10 situations. Perhaps the Zoning Department could 11 physically check the suitability of the property. 12 There could be some measurements from the actual 13 event to a neighbor home. So, we ask you, the 14 Planning Commissioners, to help us find the solution 15 that prohibits events for compensation in our 16 neighborhood." Thank you. 17 SPEAKER: Good morning. My name is Alice 18 Eelman and I'm President of Regency Homeowners 19 Association and I'm here today to address the issue 20 regarding the draft that you're currently proposing 21 for Section 4-1100, the PDTRC. 22 As you may be aware, our community would be 23 vastly impacted by the density that's currently being</p>

<p style="text-align: center;">Page 134</p> <p>1 proposed or being reviewed for that section. 2 We understand that that is a keynote 3 employment area and we have worked in the past with 4 various developers who have come in and developed 5 property or put forward developments for property in 6 that area to work for a win-win situation that is 7 compatible, works for everyone. 8 Our concern is with the amount of density 9 that's being proposed here. As I understand it, 10 you're looking at approximately, if it goes to full 11 build out of what's being proposed, could cover 42 12 million square feet of build out, as opposed to if 13 you compare that to Tysons Corner, which is about 30 14 million square feet of build out. 15 Concerns are vast and many regarding our 16 community and how it fits in with that plan. We are 17 concerned, number one, about transportation issues. 18 We have current transportation issues, and with the 19 amount of volume of people that that amount of build 20 out would bring, I don't believe the roads are 21 adequate to handle that, and I don't believe that if 22 you go forward with that amount of density in the 23 future where certain roads would have to be expanded,</p>	<p style="text-align: center;">Page 137</p> <p>1 deal with here, you've got a building height that 2 goes anywhere from a hundred feet to unlimited feet. 3 It is going to be an in overlay area. So, there is 4 going to be some height limitation involved within 5 that area. However, it's going to be really kind of 6 tough to kind of put any kind of a hundred-foot 7 building that may be within a couple hundred feet of 8 a homeowner's house. 9 The other issue that isn't in there is that 10 when you look at our transportation as we currently 11 have today, the proposed road build up that is 12 scheduled for that whole area is just woefully 13 inadequate. We have issues today with the Waxpool 14 Road area, Route 28 area, and we all want to see 15 Metro come out, but with the densities that you have 16 proposed to go into the Plan, we're going to end up 17 with road gridlock all the way from Fairfax County 18 all the way out through Loudoun County. I'm not sure 19 anybody wants to have that kind of environment in 20 Loudoun County. With the building heights that we're 21 talking about, I'm not even sure that a hundred foot 22 to 125- or 150-foot building height even has an 23 appropriate place within Loudoun County itself. That</p>
<p style="text-align: center;">Page 135</p> <p>1 you would end up having to condemn property, which I 2 don't think is really a viable route to go. 3 Everything seems to be predicated upon a 4 metro stop coming for the density issue. Metro is 5 coming. Part of the reason Metro is coming is 6 because the need already exists. Yes, we do want to 7 add density to that area and enhance the use of the 8 transit related area, but hand in hand goes with 9 that, if it's going to be considered the town hub for 10 Ashburn, there needs to be consideration for parking 11 for the people in the community of Ashburn to come 12 and access that facility and also to take advantage 13 of the commercial development that would be brought 14 in in addition to the density, or as part of the 15 density. 16 So, we would hope that you would look at 17 the density issue, consider a compromise, possibly 18 look at a smaller density issue where it's still 19 provides for additional growth for the transit use in 20 addition to what currently exists and also look at 21 parking facilities for that Metro station if and when 22 it does come. We are just looking for some 23 compromise, some stronger look at the density issue,</p>	<p style="text-align: center;">Page 138</p> <p>1 certainly destroys what we would view as what is 2 currently Loudoun County and the beauty of Loudoun 3 County itself. 4 So, I would urge the Committee to please, 5 you know, we have been very proactive in working with 6 the Planning Commission over various activities in 7 the past. Unfortunately, we were put on this as 8 being one of the communities directly impacted by 9 this. We would ask that you actually do contact us, 10 work with us. We want to work with you and make 11 things to have things that work for all of us. Thank 12 you. 13 MR. YUDD: Ms. Miller, I just need to 14 clarify. For the speakers that are interested in the 15 pending Zoning Ordinance Amendment for the PDTRC, 16 that is not the subject of today's public hearing. 17 We do have drafts in the amendment package for the 18 Transit Related Employment Center, which PDTREC, and 19 that is the subject of today's public hearing, part 20 of that amendment package. PDTRC is currently under 21 review and there was a previous public hearing. 22 Obviously, the comments are welcome though. I just 23 wanted to clarify.</p>
<p style="text-align: center;">Page 136</p> <p>1 as it would greatly impact us in our community. 2 We're hoping that you will work with us and not 3 necessarily be driven by decisions of developers 4 coming in and what developers want over the needs of 5 the community. Thank you for your time. 6 SPEAKER: Good afternoon. My name is Bob 7 Jenkins. I'm also with the Regency Homeowners 8 Association, also Vice President of Regency 9 Homeowners Association. I'm also here to talk to you 10 about planned changes to the PDTRC document. I do 11 have in my hand my draft copy of that. In reviewing 12 that document, we've come up with several different 13 items which are of very much concern to our 14 association. 15 One, is obviously, the proposed density. 16 The proposed density, if you can build that all out, 17 you end up with a community that's much larger even 18 than Tysons Corner. If you go through Tysons Corner 19 today, you already know that just the density that 20 exists in there today you have a hard time trying to 21 travel through that area. There's just not enough 22 road space there. 23 The building height that we're trying to</p>	<p style="text-align: center;">Page 139</p> <p>1 MS. MILLER: Correct. We did have a public 2 hearing on the TRC. Thank you for that 3 clarification. Our next speaker is Andrea McGinsey 4 followed by Greg Wall. 5 SPEAKER: Hi. I'm Andrea McGinsey. I live 6 in Ashburn, Virginia. I first want to just take a 7 little of my time to address something that was said 8 earlier today. I'm a member of the Sterling 9 Volunteer Fire Department. I just want to get it on 10 record that I was appalled by the person who invoked 11 9-11 to support his views. I'm angered and saddened 12 by his comments. Many of our fellow citizens died 13 that day and I strongly suggest that we in Loudoun 14 County not use that kind of rhetoric. It gives the 15 property rights cause a very bad name, it's shameful, 16 and I apologize to the memory of the people that died 17 that day. 18 So, I'm speaking today in strong support of 19 the Zoning Ordinance. I'm a native of northern 20 Virginia. I was born in Alexandria and raised in 21 Springfield, which is Fairfax County. 22 Since the early 1970s, I have watched our 23 land here be ripped up and paved over. One of the</p>

<p style="text-align: center;">Page 140</p> <p>1 most familiar sights of my childhood was land newly 2 stripped of trees, the red clay baking in the sun. 3 It all seemed like a giant open wound to me. 4 Nowadays, people ask me what my hometown is 5 like and I say, "It's highway spaghetti, a big mall, 6 a bunch of strip malls, houses, and little much else. 7 It's LA without the beach. I don't really like it 8 and I don't go back there very often," but it wasn't 9 always that way. When I was little, I could walk out 10 my backyard for miles in the woods and there was 11 farmland and nature everywhere. 12 In the past 35 years, Springfield and 13 Fairfax County has simply been paved over and I'm 14 watching history repeat itself here in Loudoun 15 County, but I have some hope because we've developed 16 these new laws and I'm very thankful. 17 Because of what I've witnessed firsthand, I 18 am a strong advocate of smart growth and there are 19 many people who feel the same way as I do, and we're 20 not just rich landowners who want to keep green space 21 for middle class people like me, and I'm going to 22 help get out the vote to keep this going. 23 The Zoning Ordinance puts muscle behind</p>	<p style="text-align: center;">Page 143</p> <p>1 property. I want to stay there. I don't think I 2 should be restricted in what I'm building and how. 3 So, I'm kind of on both sides of the issue. That's 4 all I want to say. Thank you. 5 SPEAKER: Good afternoon and thank you-all 6 for the opportunity to speak. My name is Lon Berman. 7 I've lived in Loudoun County for well over 25 years 8 and I'm both a homeowner in the east, in Broad Run 9 Farms, and a landowner in the west, in Bluemont. So, 10 I've got various points of view on this thing and 11 certainly nothing that's going on is all good or all 12 bad, but I wanted to point out a few things this 13 afternoon. 14 First of all, as a resident of eastern 15 Loudoun for as long as I have, I have watched that 16 area be bulldozed and paved over and I understand and 17 am concerned with growth that's gone out of control. 18 You know, certainly some things need to be done. 19 However, having said that, I think that there's some 20 aspects of what you-all are trying to do that I 21 believe may be well-intentioned, but they're 22 misdirected and wrong. 23 I'm specifically concerned about the</p>
<p style="text-align: center;">Page 141</p> <p>1 smart growth goals. My greatest concern has been 2 environment, the green space that is left, and making 3 sure that our air and water remains at least as clean 4 as it is today. We all need it for our health, every 5 single citizen of this County needs that. Green 6 space and our air and water are precious. Unless we 7 take strong action on behalf of all of us, we will 8 all suffer from more and more Code Red days, polluted 9 water and boring, ugly land devoid of wildlife. 10 There needs to be better protection for streams and 11 rivers, steep slopes, mountainsides, and the 12 limestone area. 13 We need to adopt Conservation Design for 14 all land development as soon as possible. 15 Conservation Design will protect our important 16 natural and cultural features and give us usable open 17 space all over the County, especially in the suburban 18 area where I live. Conservation Design will ensure 19 more useful open space for the residents, which is 20 vital to my community. Conservation Design should 21 apply to all applications under County purview at the 22 time of adoption. 23 There is a Native American philosophy to</p>	<p style="text-align: center;">Page 144</p> <p>1 proposed down zonings, the AR-1's or the A-1's and 2 A-2's that will go to the 20- and 50-acre minimum 3 sizes. I believe that that will have the effect of 4 doing, number one, is really hurting people that are 5 not part of the problem and won't contribute to 6 continued growth. 7 I have a 20-acre lot in Bluemont and to 8 take the option away from me of, for example, cutting 9 that lot into two, ten-acre lots is not going to 10 change the growth in the area much one way or the 11 other. The same thing is true for many of the other 12 people that spoke here about farms and other 13 landholdings that they have. These are small numbers 14 of people. I've seen what happens in the east, the 15 apartments, the townhouses, the single-family homes 16 put five feet from one another. That's where the 17 problem is. You know what, those things did not come 18 about solely because the existing laws or General 19 Plan was lax. Many of those subdivisions occurred 20 because of special exceptions to the laws. The laws 21 didn't permit a lot of the stuff that has occurred in 22 the planned communities in the east, but the 23 developers came in with their lawyers and got special</p>
<p style="text-align: center;">Page 142</p> <p>1 think about the actions we take today and how they 2 will affect those seven generations from now. For 3 the sake of our descendents, for the sake of the 4 little kids among us today, like I was in 5 Springfield, we need to adopt the Zoning Ordinance 6 now. Thank you. 7 SPEAKER: (Greg Wall) I'm not a very good 8 public speaker. So, I hope I make sense. Like the 9 last person, I grew up in Fairfax-McLean area, saw 10 them pave it all over and all that. I don't really 11 come down on one side of the issue or the other for a 12 couple of reasons. I live in Philomont now and I 13 have 18-and-a-third acres. So, I'm in the one to 20, 14 whatever that AR-1, or whatever it is. 15 I've seen behind me all the houses to 16 developers come in, they have all the rights, early 17 in the morning, you know, bulldozers, the beeping 18 sound all day long, weekends, holidays. 19 The big thing is, though, I want to build 20 another house on my property, and I think you-all are 21 limiting it to a certain size and I just think that 22 having endured what I have had to do for the last 23 three years that I don't want to subdivide my</p>	<p style="text-align: center;">Page 145</p> <p>1 exceptions. If you allow 20- and 50-acre lots to 2 remain in the west, it's only a matter of time before 3 a developer comes along, aggregates a few adjacent 4 lots, comes in with his lawyer for special 5 exceptions, and guess what, we have the next Cascade 6 Village, South Riding, whatever you want, in the 7 middle of western Loudoun, and that's not what 8 you-all intend, but I believe that's what might occur 9 if we restrict to very large lots in western Loudoun. 10 I appreciate the chance to speak my mind. Thank you 11 very much. 12 SPEAKER: (Sandra Priest) Hi. Not very 13 many people from my neighborhood are here, but I'm 14 south in the TR-3 area, going from A-3 to TR-3, and 15 with 50 percent green space, I'm not really sure what 16 that means, but if we go to a residential, am I going 17 to have people complaining about agricultural type of 18 animals? Can you enlighten me on that? I didn't do 19 my homework. 20 MS. MILLER: When you're done taking your 21 time, I will ask Staff to take you out in the lobby 22 and answer all of your questions for you. 23 SPEAKER: I'm concerned about the aquifers,</p>

1 and you know, more houses going in there, how that's
2 going to effect us, and with green space, it should
3 really be the work of wildlife preservation and the
4 tree canopy to protect us from the sound of Braddock
5 Road, Pleasant Valley Road, and the roads around us
6 where the subdivisions have gone in. So, those are
7 my concerns.

8 MS. MILLER: Mr. Stultz will be going out
9 into the lobby and discuss your issues with you.

10 SPEAKER: Good afternoon, Madam Chairman
11 and Members of the Planning Commission. I'm Claude
12 Compton. I live at 24759 Peach Orchard Lane, which
13 is in Aldie between 15 and Braddock Road. My
14 property, when I bought it in '85, where I do live
15 today and have lived since '88, was zoned A-3. Prior
16 to the time I purchased the property, I investigated
17 the zoning along with a number of other things and
18 was satisfied that that was adequately proper zoning.

19 The thing I fear today is my property is
20 bisected by the AR-2 line and the TR-3 line. I have
21 no problem with going from A-3 to TR-3, but I do have
22 a problem going from half my property being 50-acre
23 zoning and half being three-acre zoning. There's too

1 tuned to make sure that historical properties, as we
2 have -- we go back -- we're on Page One, Book One in
3 the Loudoun County records as far as an existing
4 farm. If I could just put this up on the --

5 (Whereupon, the speaker exhibits documents
6 on the overhead.)

7 SPEAKER: These are the proposed uses to
8 the right or the special exceptions in an A-3 --
9 excuse me, in an AR-1 district. To the right. The
10 performance standards are in the circle, which we
11 can't qualify for, and what we're eligible for right
12 now are just the one's in the center. Most of what
13 we are eligible for right now is a bed and breakfast
14 inn, which would be up to four- to eight bedrooms.
15 Right now, as A-3, we're allowed .08 FAR, floor area
16 ratio, and the new changing should changes to Article
17 5, Section 5-600, will still allow eight percent, or
18 .08 residential, but if you look at what's available
19 in agricultural, it is unlimited, and in the rural
20 businesses, it's a .01, which only about 15 percent
21 of the FAR that is currently allowed for a bed and
22 breakfast. It's .01 for country inn, .01 for a rural
23 retreat, .02 for a winery, and it goes on with the

1 much disparity. If it was three-acre and five-acre,
2 no problem.

3 We're very close to the Prince William
4 County line and the zoning across the line is
5 ten-acre. I think the three-acre is more in line
6 with the transition area up to Prince William County
7 and we request that the line of my property be
8 totally TR-3 classified and not the AR-2 because it
9 splits. My house, actually, my house will be a TR-3
10 and my barns and stuff would be in the A-1 and A-2.
11 So, we appreciate the consideration of looking at the
12 situation and see if the entire parcel could be
13 classified as TR-3. Thank you.

14 SPEAKER: (Aimee Luce) Good morning. I
15 live behind Claude Compton and my husband and I
16 firmly oppose the proposed down zoning ordinance
17 which effects our 27-acre parcel off of Peach Orchard
18 Lane. The current zoning is A-3 and the proposed
19 change is split zoning AR-2 with a majority of it
20 being TR-3. We have some of the same concerns that
21 Claude Compton had where our house is in AR-2 and the
22 rest of our property is in the TR-3.

23 We strongly encourage you to reconsider the

1 same thing. So, I would ask that that be
2 incorporated.

3 I just want to skip ahead, because we don't
4 have very much time. This is a picture of our
5 existing property line. That's the setback right
6 now, 25- or 30 feet with all those historical
7 buildings. That will be the set back at 150 feet.
8 So, we will lose most of the buildings to be used for
9 a "rural economy." That, unfortunately, is a setback
10 requirement for any of the viable rural economy
11 businesses like a rural retreat or a bed and
12 breakfast.

13 So, I'm asking you to take into
14 consideration the changes and to recognize that in
15 order to maintain a historical property and to
16 enhance the rural economy that this -- these zoning
17 changes have to be amended or modified to factor in
18 the fact that these setbacks and the historical
19 structures can be used as a rural economy.

20 SPEAKER: Hello. My name is Sharon Kearns.
21 I would like to introduce myself as a Citizen for
22 Property Rights. I would also like to introduce
23 myself as citizen for smart growth.

1 proposed change as we purchased this amount of land
2 to build our dream home and utilize it, eventually,
3 for investment or to pass along to our children.

4 As our retirement fund has suffered
5 tremendously due to the stock market, this is really
6 the only investment that we feel we can count on.

7 This is our plan now, but as we all know,
8 we don't know what the future is going to bring, but
9 whatever it is, we do appreciate having choices, and
10 by this rezoning, you're taking away our choice, and
11 that just doesn't seem like the American way.

12 That said, if the rezoning is passed, we
13 request that the entire parcel be zoned TR-3 as there
14 is no rhyme or reason for the split zoning. Thank
15 you.

16 SPEAKER: Is the overhead working so we can
17 get a screen? Good afternoon. My name is Brian
18 Meehan. My wife and I own a property just north of
19 Leesburg. It's a historical farm and even though the
20 document looks pretty good, it has to be modified to
21 incorporate historical preservation, the rural
22 economy, tourism and land preservation.

23 The proposed zoning plans need to be fine

1 What concerns me is that these Ordinances,
2 while trying to address current issues with Loudoun
3 County, takes us to places that are much like Loudoun
4 roads today, overcrowded, bumpy, and like Route 7,
5 subject to change.

6 This is not to insult all the fine people
7 who have put in many long hours to improve and direct
8 the growth of Loudoun County, but to say that, unlike
9 Loudoun roads, these Ordinances need to be narrowed.

10 In my district, AR-1, entirely too much
11 power is given to small businesses without protecting
12 the surrounding homeowners. The Ordinances do not
13 take into account existing infrastructure, roads, and
14 natural resources and water. Promoting the
15 promulgation of small businesses to the expense of
16 existing homeowners creates environmental and safety
17 issues. There is a loosening of restrictions.
18 Current standards for contractors and contractors
19 contracting over ten acres state, "Two employees, two
20 pieces of heavy equipment, and two business vehicles
21 may exist." Their bottom line is going to be profit.
22 It will not be to protect the neighborhood and the
23 environment and I can tell you from experience. What

<p style="text-align: center;">Page 152</p> <p>1 are the environmental guidelines to cover the uses of 2 fuels, oils, and liquids in situations such as these? 3 We do need small businesses like these, but it is 4 crucial that they are in the proper locations. 5 Wineries sound wonderful. I drink of lot of wine, 6 but they use a tremendous of water when they create 7 wine. Pesticides, fungicides and herbicides are used 8 heavily to grow the grape. What Ordinances are there 9 to protect the surrounding homeowners? What agency 10 governs storage and disposal of these chemicals? 11 These Ordinances go further and protect their 12 mountains and streams. This is a good thing, but 13 look at the special exceptions that are allowed. Why 14 create laws if there are too many ways to overcome 15 them? These Ordinances are based on the false 16 premise that a rural economy can be viable in Loudoun 17 County. If that were the case, they why don't we 18 have more people wanting to open such businesses? We 19 must take an honest look at the economic engine that 20 has been driving this County and create Ordinances 21 that go further to address the reality of the growth 22 that has and will occur. We have absolutely got to 23 create Ordinances that address our lack of</p>	<p style="text-align: center;">Page 155</p> <p>1 prevents us from this use makes the Village of 2 Taylorstown one of the very few places where this use 3 is not allowed. Help us promote the Village where 4 the uses on our key road fronts have opportunities of 5 mixed use and is very flexible in regulation so that 6 one can establish small family businesses. 7 Please think of Williamsburg where it is 8 commonplace to have both the residents and the small 9 business on the main street and all within the same 10 structure at times. It also commonplace to make 11 changes of use in any given structure in these key 12 areas. Please avoid the temptation to structure 13 zoning so it becomes all but impossible to make 14 changes in use along the desirable main street 15 locations because of inflexibility. Do not change -- 16 please do not change the list of uses that would 17 hinder or block the use of property in Taylorstown as 18 it relates to a farmette. Flexibility is needed, not 19 restrictive language that would conflict with the use 20 that we now enjoy in Taylorstown. 21 To be specific, we understand that there 22 may be some change in the Village Ordinance that will 23 significantly restrict the keeping of livestock.</p>
<p style="text-align: center;">Page 153</p> <p>1 infrastructure in the caring capacity of our natural 2 resources. We need independent citizen-based 3 oversight of our Building and Development Department 4 and we need an agency to guide the protection of our 5 environment, and because I feel this is so crucial, I 6 will repeat this again, we have absolutely got to 7 create Ordinances that address our lack of 8 infrastructure and the caring capacity of our natural 9 resources. I thank you very much. 10 SPEAKER: Hello. I'm David Whitmer. I'm 11 speaking on behalf of the Taylorstown Community 12 Association on the subject of Village boundaries and 13 the Ordinance changes within the Village. We're a 14 sleepy little Village that is, in fact, a small, 15 tightly-knit community by its very nature. There is 16 a mixed use of many different sizes of properties in 17 Taylorstown. We range from commercial buildings, to 18 small houses, to large farmettes, and everything in 19 between. Taylorstown citizens in the past have 20 shaped our Village by establishing an historic 21 overlay scenic river status for Catoctin Creek and 22 engaged the County and the State concerning issues 23 that define who we are and what we can do in</p>	<p style="text-align: center;">Page 156</p> <p>1 Please don't make this change for Taylorstown. 2 Please address the setback requirements to 3 help preserve the historic look and the nature of the 4 Village that we now have. 5 Six, make changes to the classification of 6 roads that go through the Village so that V-DOT and 7 the community can have flexibility to implement 8 road-calming opportunities. 9 Seven, continue to work with the 10 Taylorstown Community Association on the boundaries 11 of the Village. Please accept our first draft on the 12 boundaries of the Village. In developing the draft, 13 we have visited all parties both inside the Village 14 and the areas that will be affected by the change in 15 the Village boundary. 16 We look forward to working with the Board 17 on this subject in the weeks to come. Thank you. 18 SPEAKER: (Angela Hardesty) Hi. I live 19 off Haydonwood Lane (phonetic spelling) and we're 20 apparently in the process of being zoned industrial 21 or proposed to be zoned industrial. My husband and I 22 and my neighbors are here to let you know how this 23 will directly effect our lives. I'm 30 years old.</p>
<p style="text-align: center;">Page 154</p> <p>1 Taylorstown. 2 Taylorstown Community Association was 3 created to preserve a social and cultural perspective 4 of small village. Additionally, it was created to 5 give the local government and the community an 6 effective way and means to communicate with each 7 other and work out problems of the future. 8 The County is presently addressing the 9 subject of villages in a comprehensive way. With 10 this task at hand, we respectfully request the 11 following: Make Taylorstown Community Association a 12 community partner and work with us in the formative 13 stages when you make your changes to the Designing 14 Ordinance. Two, recognize that Taylorstown is unique 15 and has very different needs than other villages. 16 Regulations need to be different for the different 17 villages. Here is but one example: In the Village 18 of Taylorstown, we are not allowed to construct an 19 accessory building or a building within an existing 20 structure as an accessory department. This is due to 21 a regulation -- I'm sorry -- this is due to a "one 22 regulation fits all" approach to Taylorstown. 23 You must understand that the language that</p>	<p style="text-align: center;">Page 157</p> <p>1 My husband and I have, basically, re-gutted our home 2 which can really test your marriage over the years. 3 We have survived this. We basically feel like this 4 is a place where we want to create a family. We've 5 saved our money. We have, as I said, re-gutted our 6 home. We have made a place that is safe to live. 7 Our whole road is like a family. This is the place 8 where we wanted to reside for -- reside in a long 9 time. Basically, the only thing I can describe -- 10 the only way I can describe this to you is if you 11 were to close your eyes and picture where I live, you 12 would see horse farms, wildlife, deer running through 13 your yard, peaceful, safe, and then open your eyes 14 and see a letter in your mailbox and you would see 15 that we're basically going to be zoned industrial and 16 my neighbors have told you the stats, aside from the 17 fact that our taxes will go up again, as they have 18 every year, our house will not be worth anything and 19 everything that we have worked hard for and planned 20 early for will be gone. It's not fair for us to 21 suffer, it's not fair for us to wonder what 22 ramifications we will be suffering if we're zoned 23 industrial. The reality of it is I don't want to</p>

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1 walk out in my yard off Haydonwood Lane and look
2 beside, in front, or behind, and see -- and I'm sorry
3 if this offends anyone -- but see 30 illegal aliens
4 standing out beside their industrial shop making cat
5 calls to the ladies and making rude remarks and
6 dealing with the noise and having to deal with a
7 whole different lifestyle when we've already made a
8 life for us on that road. I've never really begged
9 for anything before, but I would like to do the same
10 as Kate, and beg that you not zone our road
11 industrial. We have made a life for us and you don't
12 understand that we will lose everything and you don't
13 understand how it will affect our lives so greatly
14 because we can't just pick up and move when our jobs
15 are here. So, basically, I am begging that you
16 rethink what you do to Haydonwood Lane and the
17 surrounding areas. Thank you.
18 SPEAKER: Good afternoon. My name is
19 Andrea Gaines and I live in the Village of Lincoln.
20 Our Village will be, hopefully, gratefully, protected
21 by the new Comprehensive Plan and many of the
22 specific Zoning Ordinances related to village life in
23 Loudoun County.

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1 Over the past several years, I've taken the
2 podium many times in defense of Loudoun County
3 environment and our relationship to it. We need a
4 better relationship with our environment. Sometimes,
5 it's been in a public forum like this, sometimes it's
6 been via a letter to the editor, sometimes, it's been
7 in a small circle of friends as we try to support the
8 Zoning Ordinances that would make the new Comp Plan
9 the law. In every instance, my concern has been to
10 elevate the discussion from property rights to a
11 balance between property rights and property
12 responsibility. It's not just about paying taxes and
13 telling people to leave you alone. Property rights
14 come with property responsibilities.
15 As I gathered my thoughts for my three
16 minutes today, I felt a terrible sense of urgency to
17 say something meaningful on that subject. I found
18 myself focused on a conservation concept developed by
19 the famous naturalist, Aldo Leopold (phonetic
20 spelling). I think, in fact, it's really a community
21 planning concept he was talking about. Leopold saw
22 that when it came to a sense of community ethics,
23 people were pretty good at the social part, which was

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1 relating to each other. If your neighbor's house
2 caught fire, you would help them put it out. If you
3 needed a new school, you would build it together. If
4 a bridge went out, you would find a way to repair it.
5 What Aldo Leopold suggested is that we extend that
6 sense of community ethics to include a land ethic, a
7 new and more meaningful cooperative effort to protect
8 the natural resources that the community depends
9 upon. He said we should enlarge the boundaries of
10 the community, our towns, villages, our schools, our
11 roads, our families, our property rights to include
12 soil, water, plants and animals, or collectively, the
13 land we call home.
14 The new Comp Plan and the draft Ordinances
15 that would make it law are a step in this direction,
16 a new land ethic for Loudoun County, but we need to
17 be extremely careful and create something meaningful
18 and strong, something with muscle that protects
19 everything of value.
20 I think that means that the County should
21 consider three things as we make the final decisions
22 regarding how to make the Comprehensive Plan the law.
23 First, we should step above the pressure to

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1 produce Ordinances that don't go far enough. The
2 fall of 2002 is our best and perhaps only shot to get
3 the job done. Let's not water down prospects for
4 real change with exemptions to the Ordinances. Once
5 the new rules are in place, once the new development
6 goes in, once the water is drawn out of the ground,
7 or once the historic structure is taken down, things
8 can't be undone.
9 Second, I think we should protect as much
10 area as possible with the strongest ordinances
11 possible. One of the biggest issues to be decided is
12 grandfathering, whether large tracts of land in the
13 preliminary stages of planned development should be
14 protected by the new Ordinances or developed under
15 the old system. The citizens of this County didn't
16 vote in Smart Growth. Confirm that choice with
17 similar votes in Leesburg and Purcellville and fight
18 tooth and nail for workable zoning ordinances to see
19 thousands and thousands of acres and natural
20 resources developed under old system.
21 Thirdly, I urge you to give yourself and
22 the citizens of Loudoun County the strongest
23 enforcement tools possible. Just outside my Village

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1 of Lincoln, a beautiful creek bed is lying under
2 layers of silt because the nearby slope was removed
3 to make way for a road. You might not be able to
4 challenge the road, but you would certainly challenge
5 the way the road was constructed. No silt barriers,
6 ineffectual County oversight of a developer, who,
7 after repeated community complaints, had no vested
8 interest in doing the right thing, or even obeying
9 the law.
10 SPEAKER: (Pat Grigsby) Thank you for
11 taking the time to listen today. There's a lot that
12 can be said about this document. Obviously, we have
13 to confine ourselves to a few things.
14 First off, I'd like to say that, in my
15 opinion, the public notice given with regard to this
16 is inadequate not only in the -- some people haven't
17 even received their letters yet, but also, when you
18 go down to the Planning Department and you ask for a
19 copy of this, as I did the other day, and you ask,
20 "Well, is everything in here, everything in here that
21 you need to know," and they say, "Well, yes, except
22 the maps," and I understood that, that the maps are
23 not in here, but then when I took it home, and with

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1 three kids under foot, you don't get a chance to go
2 down to the County and pick these up all that often,
3 I get it home and I find out that in order to read
4 the thing, it makes frequent reference to the old
5 Zoning Ordinance, which is not here. There's a lot
6 of places, in which to understand this, you need to
7 look at the old Zoning Ordinance. Now, I was able to
8 look up stuff on the web, but not everybody can do
9 that. I don't know why it couldn't be printed as a
10 red line strike out with the old Zoning Ordinance so
11 that it would be actually reviewable by someone who
12 doesn't have web access or might not have figured out
13 that sections in here refer to the old Ordinance
14 because it wasn't at all clear. I really think in
15 fairness to the public and people affected there
16 should be further notice and that this should be
17 printed with the old Ordinance sections that are
18 referenced available.
19 I'd like to speak specifically to the
20 document's claim that it's supposed promote rural
21 economic growth. I do not think it succeeds in
22 assisting rural businesses to succeed at all. It
23 purports to open up new uses, but the restrictions

1 placed on those new uses, and the old uses, are
 2 onerous and succeed in taking away with the right
 3 hand what's given with the left. Consider the
 4 restrictions to country inns, B&B's, rural retreats,
 5 there's a floor area ratio of one percent required in
 6 these places. That means that if they have a 20-acre
 7 lot size, say, for a rural retreat, and an FAR of .01
 8 means roughly 8,000 square feet. Now, look at places
 9 like Selma (phonetic spelling), for instance, they've
 10 got more than 8,000 square feet there, a country inn.
 11 An FAR of one percent is just not enough. The
 12 standard for a number of outdoor events permitted is
 13 not clear, it's contradictory in spots. A standard
 14 of 25 uses for 50 acres for a rural retreat. Well,
 15 if you have a 20-person retreat, who's left to serve?
 16 Loudoun County's retreats take a lot more than that.
 17 What's worse is retaining some of the worst language
 18 of the old Zoning Ordinance. One of the saddest
 19 parts of the old Zoning Ordinance's attitude toward
 20 small business as being sort of an intruder in the
 21 rural areas. It used to say that a small business,
 22 if it expands, should really move. Now, it says that
 23 if it expands, it shall move. Is that business

1 be approved, high density along the south of the
 2 Greenway, which will justify the rail that won't be
 3 here for years, that will justify the density and so
 4 on around and around in a circle.
 5 Meanwhile, lawsuit after lawsuit comes from
 6 the transition zone which my taxes will help pay the
 7 County to fight and perhaps to lose, because spacial
 8 divides don't exist in a vacuum. Someone holds title
 9 to them, pays taxes on them, no matter how they are
 10 allowed to use them.
 11 As for allowed rural uses, I am confused
 12 about the relationship between sawmills and the Green
 13 Infrastructure and about the historic, rural
 14 appropriateness of private airstrips because I don't
 15 understand how these will enhance farming.
 16 In general, as long as there will be no
 17 appreciable public access to most of what is being
 18 preserved, I don't know why the suburban areas should
 19 increase in density and pay for it, often while
 20 lacking in service. I don't know what is being
 21 preserved, for whom, or from whom. Thank you for
 22 your time and I'll be submitting more in writing.
 23 SPEAKER: Good afternoon. My name is Lella

1 friendly? Is that going encourage people to open
 2 small businesses? If you succeed, you have to move,
 3 and at what point do you have to move? Well, if I
 4 could assume that the standards articulated have to
 5 do with what you consider expansion of a small
 6 business, it says that a business on three acres
 7 could have a maximum of one employee if permitted by
 8 special exception. In other words, it's not even --
 9 there is no by right use there for a small business
 10 to have an employee. Now, if you're trying to open
 11 up a small business, are you going to move into a
 12 place that says, "No, you can't even have an employee
 13 without going through a special exception process"?
 14 Like I said, what has presumably been given
 15 to the rural areas here has been taken away by the
 16 restrictions. Rural business is not going to grow
 17 under this plan. It's going to stagnate and die.
 18 SPEAKER: I would have said good morning,
 19 but now it's good afternoon. My name is Barbara
 20 Munsey. I live in South Riding, and as there is so
 21 much more than can be sensibly commented on in three
 22 minutes, I'm going submit many of my concerns to you
 23 in writing.

1 Russell Smith. Thank you greatly for all your
 2 valiant efforts and I strongly support the new Zoning
 3 Ordinance.
 4 Our Smith family has farmed in Loudoun and
 5 has had orchards and mountain orchards for eight
 6 generations. I have 70 acres and my sister has 60
 7 acres on Sunny Ridge, above Round Hill, the last of
 8 our family land. We love our land and it is
 9 important to us to pass it onto the children and
 10 grandchildren in our family, but Loudoun and the Blue
 11 Ridge Mountains are more important, along with the
 12 critical preservation of its water, wildlife and open
 13 space, than individuals and individual families.
 14 I'd like to emphasize the importance of
 15 preserving the Blue Ridge. It is one of two or three
 16 of Loudoun's most beautiful and outstanding features.
 17 The Blue Ridge, as part of the Appalachian's, are the
 18 oldest mountains in the world. The Rocky Mountains
 19 are mere upstarts and not worn down for thousands of
 20 years. People all over the world refer to the beauty
 21 of the Blue Ridge Mountains.
 22 I would have hoped for stricter protection
 23 of the Blue Ridge, however, I applaud your Ordinance

1 My major concern as a resident of Dulles
 2 South is the relationship between the Dulles suburban
 3 planning and the transition zone that wraps around
 4 it. I know that some people feel that a visual and
 5 spacial divide between what they call sprawl, i.e.,
 6 my community, and the historic estates of the western
 7 Route 50 corridor is of paramount concern in the
 8 future of the County, but many people use the
 9 environment to enhance their own environment, and in
 10 the process, often neglect to remember that people
 11 are a part of the environment, not just the people
 12 who seek to avoid any and all change in order to
 13 remain comfortable, but the literally thousands of
 14 people who have populated the lower leg of the "L"
 15 that makes up the Dulles suburban area, those people
 16 who pay the taxes that will be used to help provide
 17 that visual divide and the rural reserve often while
 18 painfully fighting every inch of the way for State
 19 mandated tax funded services, such as education,
 20 public safety, and transportation improvements.
 21 The upper leg of the "L" is only beginning
 22 to develop, yet services have been relentlessly
 23 pushed toward the area to justify the massive, yet to

1 and consider it a very reasonable compromise. Thank
 2 you.
 3 SPEAKER: Good afternoon. I'm Mike
 4 Banzhaf. I've lived in the County for about 15 years
 5 and I work at Reed-Smith as an attorney and I've sent
 6 several letters in on behalf of my clients, one for
 7 Fulte Homes (phonetic spelling), one for South
 8 Riding, another one for Peterson. Albert Parr
 9 (phonetic spelling) sent his own letter in and we
 10 have some others that will follow. We have clients
 11 who are -- come in all shapes and sizes, people who
 12 are individual small landowners and people who are
 13 larger developers, and so forth, but what they all
 14 have in common is a concern about what this Ordinance
 15 means to them. I can tell you it's created a lot of
 16 phone traffic in my office as to what this means and
 17 what it doesn't mean. People want to know if they're
 18 grandfathered, will they be vested, et cetera, and I
 19 notice there's no grandfathering in this Ordinance,
 20 there's a whole strike out of several portions of the
 21 existing Ordinance.
 22 I suggest that the County Attorney and the
 23 Zoning Office is going to be inundated with requests

1 from people to determine whether they are or are not
2 vested because that's the only way, really, anybody
3 can know whether they are or are not subject to this
4 Ordinance or the next.

5 People often ask us for an opinion on
6 things, and we're loathe to give them, because it's
7 very hard to determine, particularly under this new
8 concept, what kind of uses you have or will have.

9 For example, the Environmental Overlay
10 districts, the RSCOD, and Conservation Design, and so
11 forth, you have no idea whether you know whether
12 that's applicable to you or not until you have an
13 engineer analyze the property and do some kind of
14 site analysis, and really, submit an application.
15 So, somebody was asking me, "If I have any piece of
16 it subject to RSCOD, what's my yield," and it's very
17 hard for me to tell them. The only way you really
18 could tell them is to go through that whole kind of
19 analysis, ask for a zoning determination and seek
20 clarity thereafter.

21 I think the County's lot would be approved,
22 frankly, by having some kind of, you know, existing
23 grandfathering language that's in the Ordinance now.

1 of our environment. So, I do support a Conservation
2 Design for land development so that we can identify
3 and protect our natural resources and make others in
4 our community aware of the importance of these
5 resources so that we can protect them and reduce the
6 impact that development has on it. I also support
7 the Conservation Design for land development, which I
8 feel -- sorry.

9 I'm also in support of the River and Stream
10 Corridor Overlay so that it will provide a natural
11 buffer along rivers and streams in the County and it
12 will, in turn, protect our waterways.

13 As I mentioned, I am in support of this
14 Ordinance and I just thank you for your being here
15 and putting in the long hours to make certain all of
16 us are heard here in the County. Thank you.

17 SPEAKER: (Richard Hull) Good afternoon,
18 ladies and gentlemen. My name is Richard Hull.
19 Although I am a resident of Montgomery County, I have
20 owned land in Loudoun County since 1963 in the Mount
21 Gilad area on the edge of North Fork of Goose Creek.
22 I have no problem with the change in the zoning from
23 A-3 to 20-acre on one side of the creek and 50-acre

1 It seems to make a lot of sense, answer a lot of
2 questions, and I think you would stave off a lot of
3 lawsuits, because I can only imagine that more -- let
4 me tell you a short story. Yesterday, we were --
5 actually, one of our planners in the County, one of
6 the offices, I think, up on the second floor,
7 overheard a gentleman asking for clarification about
8 the impact of his Ordinance. He had a house. He had
9 two lots, one had a house next to the Broad Run down
10 on Route 28, and he had a lot next door to it that
11 was undeveloped. The Staff told him that both lots
12 were subject to RSCOD. He said, "Well, what does
13 that mean?" They said, "Well, you can keep -- you
14 can stay in your house and that will be fine." "So,
15 why don't we give this other lot to my daughter and
16 she can build a house on it." "Well, no, you can't
17 do that." "Well, I mean, it's -- I can't today,
18 right?" He said, "Well, if you get a zoning permit
19 today, you can build the house." "Well, suppose she
20 wants to expand, or suppose I want to put an addition
21 on it?" "Well, you can't do that." He said, "Wait a
22 minute. I'm paying taxes on it. You mean I can't
23 add my addition?" "Well, no, you can't." He was --

1 on the other, even though it does effect the value of
2 my land.
3 I do have an immediate problem, however. A
4 month ago, while mowing my lawn, the house, the
5 little house, which is a weekend house, is in the
6 flood plane of Goose Creek, North Fork of Goose
7 Creek, while mowing my lawn, I found suddenly the
8 ground disappearing under me and discovered that the
9 old septic tank, which had been built at the time the
10 house was built, had collapsed. Upon having someone
11 come to take up the thing, discovered it wasn't even
12 a drain field. Apparently, the thing was just being
13 piped into the North Fork. Obviously, I need to
14 install a new septic tank, and I don't intend to
15 pollute the creek by putting it in the flood plane,
16 but I am concerned that this new River and Stream
17 Overlay rule, which includes additional amounts of
18 land in the buffer beyond the boundaries of the flood
19 plane may make it impossible for me to have a new
20 septic tank, or a new drain field, rather. It is a
21 thing I discovered when I inquired that it is very
22 difficult to locate a suitable drain field near where
23 my house is because of the abrupt hills, and although

1 was older than I am, so he's pretty old fellow, but
2 he was kind of -- he was upset, and justifiably so,
3 because he has his place, his lot, he assumes he can
4 do something with it, and people are telling him that
5 he can't. To me, he has some kind of decent claim.
6 I can see it's going to be a full agenda for
7 attorneys and engineers in the coming months and
8 years, but you can certainly solve a lot of these
9 problems if you just put some kind of grandfathering
10 language in.

11 The rest are comments I'm going to submit
12 in writing, because it's way too thick an Ordinance
13 for us to address in three minutes, but thank you for
14 your time.

15 SPEAKER: Good afternoon. I am Janine
16 Czarnecki and I live in South Riding. One of the
17 many people that have -- I don't want to talk about
18 that. I wanted to thank you-all for being here and
19 spending all of your time on this very important
20 Ordinance. I would like to go on record as strongly
21 supporting the Zoning Ordinance and I would also like
22 to tell you most of my particular concerns are,
23 number one, what is paramount to me is the protection

1 fthere is a potential site, which is outside the
2 flood plane, it's very close to the edge of the flood
3 plane. I doubt very much that it will fit in a
4 permissible area if you do not make special
5 exceptions in hardship cases. I would like to urge
6 you to take into consideration those homes that are
7 grandfathered and that are located on the edge of
8 rivers and streams and accommodating the homeowners
9 when there is, basically, no alternative to where
10 they can put their drain field and their septic
11 tanks. Thank you very much.

12 MS. MILLER: Mr. Yudd, would you meet with
13 Mr. Hull to see what type of options may be available
14 for him?

15 MR. YUDD: Yes.

16 SPEAKER: Our last speaker signed up
17 tonight is Will Stewart.

18 SPEAKER: (William Stewart) Thank you for
19 taking the time this Saturday to come and listen to
20 all of us. I'd like to say that I'm in favor of the
21 Plan as it stands at the present time.

22 We certainly have to learn from the
23 planning mistakes of a number of communities in the

<p style="text-align: center;">Page 176</p> <p>1 US, such as Atlanta, LA, where they have crushing 2 congestion, unhealthy air, overdependence on volatile 3 foreign oil supplies, and skyrocketing taxes, to say 4 the least. 5 So, this Plan will help reduce the threat 6 of those. We're already seeing some of that now from 7 prior planning mistakes here. 8 Another subject we need to talk about is 9 ground water. After four years of drought, our 10 ground water is really at a frightfully low level. 11 What would happen if we drilled ten times the number 12 of current wells we have now? So, we really need to 13 protect our ground water. 14 There are going to be tweaks to this plan 15 that will certainly come later. We don't need to do 16 all of them right now. There will be substantial 17 growth on this Plan. This is not a no growth Plan, 18 this is a managed growth Plan, which our County 19 definitely needs. 20 So, in the short and simple, go ahead and 21 thank you. 22 SPEAKER: Mr. Stewart was our last signed 23 up speaker. On behalf of the Planning Commission, I</p>	<p style="text-align: center;">Page 179</p> <p>1 for clarification as to what that means, the County, 2 most likely, will accept my application, because it's 3 done, you know, by the book and according to every 4 specification, they're likely to accept it, cash my 5 check, this will go into effect and I'm out of luck, 6 basically, is what I'm being told. 7 I strongly urge two things. One, is 8 grandfathering, and two, that perhaps you could look 9 at some other solutions for people with less than 20 10 acres that's currently zoned A-3 for a family 11 subdivision type process. You could even, for 12 example, right now, you would have to hold it for one 13 year. You could make that five years or ten years 14 before the house and property could be sold. I think 15 it would help you accomplish your goals of less 16 density and still allow that family that process. 17 That's all I have to say. Thank you. 18 MS. MILLER: Thank you, Mr. Quesenberry. 19 Having said thank you once to you-all before, I will 20 say it again. We do appreciate you-all coming out 21 and taking time away from your family and friends on 22 a Saturday. I encourage you-all to go out and enjoy 23 our August Court Days that are going on right now.</p>
<p style="text-align: center;">Page 177</p> <p>1 want to thank all of the citizens and residents of 2 Loudoun County who have come out to speak and help us 3 in this process. As we have mentioned, we will be 4 receiving written material until the 23rd that will 5 be incorporated into our packet. However, throughout 6 our entire deliberations, we will continue to receive 7 input from the public and the professional 8 communities throughout our deliberations and onto the 9 Board's deliberations. At this time, then, I will 10 declare this -- 11 (Whereupon, there was discussion.) 12 MS. MILLER: Mr. Darrell Quesenberry? 13 SPEAKER: Yes, thank you. I know the last 14 thing you want to hear is one more speaker. I 15 apologize for that. You went from Number 29 to 16 90-something in record time. 17 I just wanted to say that it's just one 18 thing I've noticed and it's sitting and listening and 19 listening to past meetings about the people that come 20 here and the speak in favor of this new Plan, and 21 that is, they already have theirs and now they want 22 to deny, in my view, future generations of current 23 Loudoun landholders from having theirs.</p>	<p style="text-align: center;">Page 180</p> <p>1 That's usually a lot of fun. We are now adjourned. 2 (Thereupon, at approximately 1:30 p.m., 3 these proceedings were adjourned.) 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23</p>
<p style="text-align: center;">Page 178</p> <p>1 An example is, you know, the current family 2 subdivision policy. You know, it is very, in most 3 cases, family friendly to landowners that want to 4 pass on land to their children. My great-grandfather 5 was a landholder in Loudoun County. He had property 6 that he gave his son to build a house on, who, in 7 turn, had property for several of his children to 8 build houses. 9 It's my goal, as I currently have ten 10 acres, and it's zoned A-3, to have property for my 11 child to build on, if he so desires, someday. 12 It seems like, you know, there's definitely 13 people who have under 20 acres, and this is an 14 extreme disadvantage for them in this case. 15 I'm just hoping that this whole thing would 16 go away. It really didn't get my attention until 17 about six months ago when I started the family 18 subdivision process. As you know, or may not know, 19 it's a very lengthy process. There's a lot of hoops 20 to jump through, there's a lot of money invested. 21 What I'm being told right now from the 22 County, you know, when I write my check for \$1,850 23 is, "You submit this at your own risk," and in asking</p>	<p style="text-align: center;">Page 181</p> <p>1 CERTIFICATE OF REPORTER 2 I, Tracy Potter, the stenographic reporter 3 who duly reported the foregoing proceedings, do 4 hereby certify that they are true and correct to the 5 best of my knowledge and ability; and that I have no 6 interest in said proceedings, financial or otherwise, 7 nor through relationship with any of the parties in 8 interest or their counsel. 9 IN WITNESS WHEREOF, I have hereunto set my 10 hand this 22nd day of August, 2002. 11 12 _____ 13 Tracy Potter 14 15 16 17 18 19 20 21 22 23</p>